1044b UIC - EAST POPLAR OIL FIELD ENFORCEMENT CASE SDWA 1431 Folder ID: 13604 2001 Privileged

Releasin

107-9 CIVIL LAW DEPOSITION RECEIVED AFTER OCTOBER 3, 2001

East Poplar Oil Field

DEPOSITION - DENISE GRA

Region 8

2 IN THE UNITED STATES DISTRICT COURT 3 FOR THE DISTRICT OF MONTANA BILLINGS DIVISION 4 5 ****** CARY G. YOUPEE, et al., 6 Plaintiffs, 7 vs. 8 MURPHY OIL USA, INC., et al., 9 Cause No. CV 98-108-BLG-JDS Defendants. 10 Judge Jack D. Shanstrom 11 MESA PETROLEUM and PIONEER NATURAL RESOURCES, USA, INC., 12 13 Defendants/ Third Party Plaintiffs & DEPOSITION Cross Plaintiffs, 14 <u>OF</u> 15 vs. DENISE GRAINGER 16 AMARCO RESOURCES CORP. INC.; BESTWAY WESTDALE 17 PETROLEUM INC.; and THEPRUDENTIAL GROUP, 18 Third Party Defendants, 19 VS. 20 JOHN DOES 4-50, 21 Cross-Defendants. 22 ****** 23 TIME: Monday, June 11, 2001 at 1:14 p.m. 24 PLACE: Sherman Motor Inn, 200 East Main, Wolf Point, MT 25 Joann D. Heser 26 Official Court Reporter Fifteenth Judicial District Roosevelt County Courthouse 27

Wolf Point, Montana 59201 Ph. (406) 653-6272

Home: (406) 525-3712

_	
1.	
2	<u>APPEARANCES</u>
3	ATTORNEY FOR PLAINTIFFS:
	Richard J. Dolan, Esq.
4	GOETZ, GALLIK, BALDWIN & DOLAN, P.C. The Ketterer Building
5	35 North Grand P.O. Box 6580
6	Bozeman, Montana 59771-6580
7	ATTORNEY FOR MURPHY EXPLORATION & PRODUCTION COMPANY:
8	
9	Michael E. Webster, Esq. CROWLEY, HAUGHEY, HANSON, TOOLE & DIETRICH, PLLP
10	490 North 31st Street Billings, Montana 59101
	·- ·
11	ATTORNEY FOR MARATHON OIL COMPANY:
12	Gerry P. Fagan, Esq. Gerald B. Murphy, Esq.
13	MOULTON, BELLINGHAM, LONGO & MATHER, P.C.
14	Suite 1900, Sheraton Plaza P.O. Box 2559
15	Billings, Montana 59103
	ATTORNEY FOR PIONEER NATURAL RESOURCES COMPANY:
16	John Walker Ross, Esq.
17	BROWN LAW FIRM, P.C. P.O. Drawer 849
18	315 North 24th Street
19	Billings, Montana 59103-0849
20	ATTORNEY FOR SAMSON HYDROCARBONS:
21	Robert L. Sterup, Esq. DORSEY & WHITNEY
	1200 First Interstate Center
22	401 North 31st Street P.O. Box 7188
23	Billings, Montana 59103
24	·
25	
26	
27	

and it was

: i

_	•
14	DEPONENT:
2	
3	<u>DENISE GRAINGER:</u>
4	EXAMINATION BY MR. ROSS
5	EXAMINATION BY MR. STERUP
6	EXAMINATION BY MR. FAGAN
7	EXAMINATION BY MR. WEBSTER
8	EXAMINATION BY MR. DOLAN
9	CERTIFICATE OF COURT REPORTER
10	DEPONENT'S CERTIFICATE
11	CORRECTIONS TO DEPOSITION
12	
13	<u>EXHIBITS</u>
14	<u>Paqe</u>
15	4 Notice of Taking Deposition of Denise Grainger 5
16	5 Bureau of Indian Affairs Lease, Renz-Fort Peck Housing 9
17	6 Well Log Report, DNRC - Well M36, Denise Grainger 12
18	7 PHS Indian Health Service, Well Report for Denise Grainger
19	8 USGS Well Report, D. Grainger Well
20	9 Chemical Analysis Cover Letter to Denise Grainger from
21	Joanna N. Thamke, USGS
22	·
23	
24	
25	
26	

1 1

BE IT REMEMBERED: That the oral deposition of DENISE GRAINGER was taken at 1:14 p.m. on the 11th day of June, 2001 at the Sherman Motor Inn, 200 East Main, Wolf Point, Montana, with the appearances of counsel hereinbefore noted, before Joann D. Heser, Official Court Reporter and Notary Public for the State of Montana.

Diane Faye, of Attorney's Video Service of Montana, present to videotape the proceedings, placed an introduction onto the videotaped record. The following proceedings were then had:

Whereupon,

DENISE GRAINGER,

called for examination, and being first duly sworn upon her oath, testified as follows:

EXAMINATION BY MR. ROSS:

- Q Denise, my name is John Ross, and I'm a lawyer for Pioneer Natural Resources. Is it all right if I call you Denise for this deposition?
 - A Yes.
 - Q Have you ever had your deposition taken before?
- A No, I haven't.
 - Q You understand the process is that I'll ask you questions and you're to answer those as truthfully and as completely as you can?
 - A Yes.
 - Q And you understand that a record is being made of this deposition so it'll have a printed question and answer

ا ، 1 أ

* 1 .

when it's done? 1.1 2 A Yes. 3 And you understand that that deposition can be 4 used later at trial to compare with the evidence at trial? 5 Yes, I do. (AT THIS TIME, COURT REPORTER MARKS 6 THE DEPOSITION EXHIBIT 4 FOR IDENTIFICATION PURPOSES.) 7 I'll show you what's marked as Plaintiff's Exhibit Q 8 Have you seen that before? 9 Α Yes, I have. 10 11 And that's a notice of your deposition and request 12 to bring documents, is it not? 13 Α Yes. Did you bring any documents with you today? 14 No, I did not. A 15 16 Q Do you have any documents that relate to matters in this lawsuit? 17 18 MR. DOLAN: Can we stop a second. Let's go off the record a second. 19 20 (THE DEPOSITION IS INTERRUPTED AT 1:17 P.M. AND RESUMED AT 21 1:19 P.M.) (By Mr. Ross) During the break, you indicated 22 there may be one other document that you have not yet 23 24 produced. Could you describe what that document is? 25 (By Deponent) It was a letter or report written to the Tribal Health Director, I believe. I can't really 26 27 remember right off hand, but it was done by Ken Hull, who

is our sanitarian for Indian Health Services -- and he used

1.1

to be my former boss, too. And, um, it had to do with the benzene being found in some of the water samples, because he discussed that with me, you know, about the benzene being found in some of the houses, some of the water samples, and just told me, if I was you I wouldn't be drinking that water or, ah -- or bathing in it or bathing your kids or -- I mean, really talked bad about it. And he did give me a letter that he wrote to the Tribal Health director. I'm pretty sure it was to the Tribal Health director. But they did some sampling.

- Q And will you produce a copy of that letter for us?
- A Yes, I'll look for it tonight.
 - Q When was that letter prepared? Do you remember?
 - A I can't remember exactly.
- Q Do you remember the year?

1'

- A This was just like a year or two ago.
- Q Do you remember, did it relate to your water or other persons' water?
- A He didn't say specifically whose it was. That's all he said was that they were asked to do samples on the household -- households. I don't know who asked them or anything.
 - Q Are you aware of benzene in any of your water?
 - A I'm not aware of it.
- Q Are you aware of benzene in any other particular well?
 - A According to him, there is.
 - Q Do you remember which well that was?

- A No, I don't. He just said it was found in some of them or a couple of them.

 Q Do you know if those were wells that were actually being used by anyone?
 - A No, I don't.
 - Q Let me ask you first a few background questions. When and where were you born?
 - A In Poplar, Montana.
 - ..Q In what year?
- 10 **A 1966.**

5

6

7

8 .

9

13

- Q And are you an enrolled member of the Tribe?
- 12 A Yes, I am.
 - Q And have you lived in this area since 1966?
- 14 A Yes, I have.
- Q What's your educational background?
- A High school and some college, community college here. I didn't obtain a degree but I have taken college courses.
 - Q What's the area of study in your college courses?
- 20 A Administrative.
- Q What's your occupational background?
- 22 A Administrative assistant.
- Q For whom?
- A Currently for the Indian Health Services in the Mental Health department.
- Q Are you married?
- A No, I'm divorced.
- 28 Q Did you have children?

26

27

1 :

- A Yes.
- Q Do they live with you?
- A Yes, they do.
- Q How many children do you have?
- A Three.
- Q And what are their ages?
- A 16, 9 and 4.
 - Q I'll show you what's been marked as Plaintiff's Exhibit No. 1, and ask if you would identify for us where you live? This is Exhibit 1 right here. Would you take this pen and just write your name by the well that you use as shown on Exhibit 1?
 - A (Deponent confers with her attorney and indicates on map as requested.)
 - Q Thank you. How long have you lived in that location shown on Exhibit 1 near well 36?
 - A Since 1983.
 - Q And what's the nature of your property there? How much property do you have, what sort of interest in that property do you have?
 - A It originally belonged to my grandmother, who willed it to her two sons, my father and his brother -- I guess it was before her death, actually. She gift deeded it. And when my father died five years ago, then my mother got his half; and then my uncle still owns the other half.
 - Q So what again is your interest in it?
- A I've just got a homesite lease on it.
- 28 (AT THIS TIME, THE COURT REPORTER MARKS DEPOSITION

1. EXHIBIT 5 FOR IDENTIFICATION PURPOSES.) 2 (By Mr. Ross) I'll show you what's been marked as Plaintiff's Exhibit 5 and ask if you can identify that for 3 us? 4 5 (By Deponent) Okay, yeah, that's the lease for my home -- for my homesite by the Fort Peck Housing Authority. 6 And from whom do you lease? 7 Q Fort Peck Housing Authority leases two and a half 8 acres for my homesite through Fort Peck Housing Authority 9 and my uncle and my mother. 10 And you said you've been there since nineteen 11 eighty -----12 Α Three. 13 Q Eighty-three. 14 I originally moved out there with my parents when 15 I was in high school. 16 Was the well -- is it M38 -- have I got the right 17 well? 18 Mine is M36. Α 19 M36. Was M36 there when you moved there in 1983? 20 Q No, it was not. 21 A 22 Q When you moved there in 1983, what was the source of your water? 23 Α In '83? 24 Unhunh. Q 25 It would have been with my mother and father's, 26

And when did you have drilled M36?

Trivian Grainger's M38.

Q

ı.İ

27

Yes, the Housing Authority did that when they 1. Α 2 built my home for me. 3 And what year was that? Α 1989. 4 So you used M38 from 1983 to '89? 5 Α Yes. 6 7 And how was the water in M39 during that time period of '83 to '89? 8 MR. MURPHY: You said M39. Is that what you meant? 9 10 (By Mr. Ross) Did you use -- which well did you use between '83 and '89? 11 Α (By Deponent) M38. 12 Okay, M38. How was the water in M38 between '83 13 and '89? 14 Rusty, sort of a bad smell, but it was okay --Α 15 seemed to be. 16 Did you ever have it sampled? 17 18 Α No. Did not have? 19 0 20 Α No. What did you use the water for from M38? 21 Q Α Everything, bathing, drinking, watering 22 horses, everything. 23 Any particular problems with it? 24 25 Α Not that I remember. And why did you decide to drill M36 in 1989? 26 27 Α Oh, by then I was out of school and married, and

that's when I had my own home built, so that was M36.

How far apart -- approximately how far apart are

M36 and M38? 2 Oh, geez, I'm not really good with measuring at 3 all. Not very far, maybe the length of a football field. 4 5 Okay, that's always a good measuring stick. How's the water from M38? 6 MR. DOLAN: Do you mean M36? 7 0 (By Mr. Ross) M36. 8 9 Α (By Deponent) We haven't been able to really use 10 it for very many things for approximately, oh, couple years, anyway. Ever since we got our report back, our USGS 11 report, we haven't used it for consumption; but prior to 12 that, we did use it. And, um, to some extent, we didn't 13 14 really use it for everything; but because of the smell -it has a really awful smell -- the color, it's so murky and 15 16 rusty. So you're saying the problems are one of color and 17 smell, is that -- are those the major problems with the 18 water from M36 in your view? 19 Not right now, but, yeah, to begin with. After, Α 20 we seen the water tests -- water testing where there had 21 22 been contamination. When did you have it tested -- the test you're 23 Q talking about? 24 25 Α USGS when they did all the testing, and we got our reports back. 26

Do you remember what year that was?

I don't know, a couple years ago, '97, '98.

1.

.]

11

27

28

0

A

Q

1998. 1. 2 THIS TIME. THE COURT REPORTER MARKS DEPOSITION 3 EXHIBIT 6 FOR IDENTIFICATION PURPOSES.) (By Mr. Ross) I'll show you what's been marked as 4 Exhibit 6 and ask if you can identify that for us. 5 6 Α (By Deponent) It says well log report. Do you know which well that relates to? 7 0 Α Mine apparently. It has my name on it as well 8 9 owner. So that would be M ----10 0 Α Thirty-six. 11 M36. Do you know how deep your well is? 12 No, I don't. 13 (AT THIS TIME, THE COURT REPORTER MARKS DEPOSITION 14 EXHIBIT 7 FOR IDENTIFICATION PURPOSES.) 15 Q (By Mr. Ross) I'll show you what's been marked as 16 17 Exhibit 7. Can you identify that for us? (By Deponent) Apparently, it's a water analysis 18 taken by the Indian Health Services. 19 Does that relate to your well, do you know? 0 20 It must, it has my name on it. 21 And that was taken in 1989, is that correct? 22 Q 23 Α Correct. And that would have been shortly after that well 24 0 was drilled? 25 Α Right. 26 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION EXHIBIT 27 8 FOR IDENTIFICATION PURPOSES.) 28

1 1 (By Mr. Ross) I'll show you what's been marked as Q Exhibit 8. Can you identify that for us? 2 (By Deponent) It says water analysis -- water 3 samples, USGS. 4 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION EXHIBIT 5 6 9 FOR IDENTIFICATION PURPOSES.) (By Mr. Ross) And then I'll show you Exhibit 9, 7 0 which is a four page document. Do you recall receiving 8 that letter and the attached documents? 9 10 (By Deponent) Yes, I do. And what is Exhibit 9? 0 11 12 Α It's our letter from USGS explaining the results of the analysis -- water analysis. 13 And what's your understanding of what these 1998 Q 14 results indicate about your well water? 15 Α Excuse me. 16 What's your understanding of what these 1998 17 results indicate about your well water? Do you have some 18 19 understanding about what these results show? Α No, I did take them and had someone interpret them 20 a little to me. 21 And who was that that you had interpret them? 22 Q 23 Α Oh, he worked for the Indian Health Services at the time. 24 Q Do you recall his name? 25 Α No, I don't. 26 27 What's your understanding of what those results Q

show? What's your understanding of what his interpretation

: 1

: :

11

1. was? 2 Α Which year was that? Ah, 1998. 3 0 For the '89? 4 Α 1998. 5. 0 Oh, for the 1998. Just that the water had been --6 Α 7 was contaminated and he just said he wouldn't recommend -recommend using it for consumption. 8 When you say contaminated, what specifically is 9 0 the nature of the contamination as you understand it? 10 11 I really don't know. 12 Do you use the water now from this well? From, I guess it's M38 that you're on. Do you use that water at 13 all? 14 15 Α M36? M36. 16 For taking showers. 17 Do you use it for anything else? 18 Q Doing dishes. 19 Α 20 Anything else? Q No. 21 A 22 Q Do you notice any problems with the water that you use now in taking showers with it and doing dishes? 23 Problems like? besides the smell and the way it 24 25 looks or? Yeah. 26 27 A The bad smell and the way -- the bad -- the way it

looks, murky, or?

You said it smells and the color's not 1' Yeah. That's what I understand. 2 Is that correct? 3 That's correct. When we do fill up anything 4 outside, like we do have two horses back at home, and when we fill up the tank, there's an actual film on top of the 5 water that looks like when you pour oil in water, that film 6 you get on top. We have that from that water. 7 Q So your testimony is that there's actually a film 8 9 on the water that comes out of that well? Yes. 10 Α Have you considered any other alternative source 11 of water or do you have any other alternative sources of 12 13 water? Α 14 15

Just our drinking water, the bottled water. use that for drinking and cooking. Prior to that, we used to haul water from town from my aunt's place for drinking and cooking.

Do you know whether your well's ever been sampled for any hydrocarbon contamination?

Α I don't know.

16

17

18

19

20

21

22

23

24

25

26

27

28

Do you or your family -- have you ever had any interest in oil field development? Have you had working interest in an oil well or ever received any royalties, anything like that?

- Yes, I do. Α
- For which well or wells? 0
- I don't know right off hand. Α
- Q Do you know from whom you receive those?

1' Α Through my grandfather, Roscoe White Eagle. When he passed away he left me some land that does produce oil. 2 3 Where is that located? Α That's up in the Lustre fields. Lustre oil fields 4 -- which is, I guess, northwest of Wolf Point here. 5 Any oil interests in the East Poplar oil field? 6 0 7 Α No. 8 Q you have familiarity with any the oil 9 development in the East Poplar oil field? No, I don't. 10 11 Are you familiar with the location of any of the wells, oil wells, that may have existed near your property? 12 13 Α No, not really. Q Do 14 you have any idea where the alleged contamination you talked about comes from? 15 Α 16 No, I don't. I know where there are some oil wells, but I don't know what's contaminating what or. 17 So you don't have any idea which well may be 18 causing the problems for you? 19 No. 20 Α Do you claim any damages as a result of the 21 alleged contamination in your well? 22 23 Α Damages as far as? 24 Q Either as to damages to your property or personal 25 damages, health damages, just any type of damages? 26 Α Yes, property. 27 Q And what sort of property damages do you claim?

28

Α

Mostly in-home.

1. And can you be more specific as to what those Q 2 damages are? 3 Well, like faucets and everything else that it eats away; pipes; um, we've had to have well pumps 4 replaced, which is costly; hot water heater; just things 5 like that. 6 7 How often have you had to replace faucets? 8 Α Every couple years. And what's the nature of the damage to 9 0 faucets? Why do you have to replace them? 10 Α They're -- they corrode. 11 Anybody ever tell you why that is, why they 12 corrode? 13 14 A No. How often do you have to replace hot water 15 Q heaters? 16 A Since we've been there, twice. And same with our 17 18 pumps, too. Again, you've been on -- when you say since we've 19 been there, you're referring ----20 1989. 21 Α 1989? 22 0 23 Α Unhunh. (Indicates yes.) Any other type of damages as a result of -----24 Q 25 Damages? Um, we've put money into our yard trying to grow trees and grass and lawn, whatever else, and we 26 haven't been able to. 27

Do you use the water from your well to water trees

1 1

1

28

of

this

1'| in your yard? 2 No. We don't really -- we don't have any trees in my yard. We've tried to grow them, but they don't grow. 3 When you tried to grow them, did you use water 4 from your well to water them? 5 6 Α Yes. And what, did the trees die? 7 Q Α Yes. 8 Did they die right away? 9 0 Um, I can't really remember. It seems like they 10 did. They, um -- I mean, they didn't last over the summer 11 or anything. And we've tried like at least every other 12 13 year. And it's your testimony that when you water them, 14 Q 15 they don't make it even a year? Α No. 16 17 When did you first become aware contamination or problem with your water? 18 Was it 1998 when we got our reports back from 19 USGS? 20

21

22

23

24

25

26

27

63

0 And was that the first time that you perceived that you had a problem with the water was 1998? No, we knew there was something wrong with it because of the smell and because of the taste. When -- we just quit drinking it and cooking with it.

- And, again, when did you quit using it? what year, do you recall?
- I would say, approximately seven or eight years 28 A

2 So the early to mid-90's? Q Α Yes. 3 4 Did you talk to anybody about the problems that you had with your water in the early to mid-90's? Did you 5 consult anybody about the problem? 6 7 Α No, just the water treatment people to have a system installed. 8 9 And did you have a system -- treatment system installed? 10 Α Yeah. 11 What type of system? 12 13 Α I don't know. It's just, um, the kind where you use the hard salt pellets to soften your water. 14 0 How much salt was used in the system? 15 recall how much salt you put into the system on a periodic 16 basis? 17 Α Probably two bags a week. 18 And where was the discharge from that soft water 19 20 treatment facility discharged, do you know? A In the septic tank, I think. 21 Where is the septic tank in relationship to your 22 23 well? My well is on the west side of my home, and the 24 septic tank is on the east side -- southeast, I quess. 25 So when you first noticed the water going bad in 26 the early to mid 90's, you talked to water treatment people 27 about trying to make it better, is that right? 28

1'

ago.

1' Α Yeah. 2 Did you talk to anybody else during that time period, early to mid-90's about your water problem? 3 No. 4 Have you talked to anybody about your water 5 Q 6 problem? A No. 7 Q When did you decide to join in this lawsuit? 8 Α I don't know. A year ago. Over a year ago. 9 10 0 How did you happen to decide to join this lawsuit? Well, after we got the report from USGS, we had 11 some concerns and we had discussed it; and when we were 12 approached to ask if we wanted to join, we did. 13 And by whom were you approached? 0 14 Um, the Youpee family, Rene. 15 Α Rene ----16 Q A Martell. 17 --- is Rene Martell. And what did he say when he 18 19 approached you? Am I right, he approached you, you didn't approach him? 20 21 Α Yeah, correct. And what did he ----22 O

23

24

25

26

27

- Α I can't really recall exactly what he said. talked about the reports that we all got back from USGS. There was some concern, it was -- may have been coming from the oil fields. Um, and they were thinking about starting a lawsuit and would we be interested in joining.
 - Q So just to make sure I understand the chronology

1' here, it was after you got back the USGS results that you 2 talked to Rene Martell? 3 Correct. 4 I'll show you again what I think are the results 5 that you got back from USGS. Do you have 6 understanding of what in those results would indicate the 7 problem with your water? 8 Α This is what I had discussed with Ken Hull, the Indian Health Services. 9 And is there anything in those results that you 10 got back from USGS that you understand's the particular 11 problem with your water? 12 In your conversations with Mr. Hull or Rene or someone else, do you have 13 14 understanding of ----15 Α We were just told it was contaminated is what Ken Hull said, that your water's contaminated. 16 But they didn't point out any specific chemical --17 18 19 Α No. 20 Q --- or any particular level? Not that I can remember. 21 So other than the odor and the taste and the 22 0 color, are there any other specific problems that you're 23 aware of with your water? 24 Besides being told it's contaminated? 25 26 And, again, the person that told you it was

contaminated was this Mr. Hull?

Yes.

11

27

28

Α

1' 0 And what's his position or background? 2 Α He's a sanitarian at the Indian Health Services. 3 He would be in Poplar? 0 Yes. 4 Α What's his first name? 5 0 Ken. 6 Α Ken. 7 MR. ROSS: I have no further questions. Thank you. EXAMINATION BY MR. STERUP: 8 9 Denise, my name is Rob Sterup. I represent Samson Hydrocarbons. The home that you occupy at the present time 10 is one that you lease, is that correct? 1.1 Α Correct. Lease to own. 12 So you anticipate ----13 Q It's a home ownership. 14 Α 15 And you lease it from the Fort Peck Housing Q Authority? 16 17 Α Right. And you anticipate that when the lease terms have 18 been fulfilled, you eventually will own the home? 19 20 Α Yes. When was that home constructed? 21 Q In 1989. Α 22 23 Q Was it constructed for you? 24 Α Yes. 25 At that time, was there any discussion about water Q quality issues that you can recall? 26 27 Α No. 28 It wasn't a concern to you at all? Q

ι 1

1' [Α No. 2 When did you install the water treatment system that you mentioned? 3 Α 4 When? 5 Q Yes. Α I can't remember right off hand. Um, probably a 6 7 couple years after we lived there. Q Where did you get it from? 8 9 Α Nemont Water Conditioning. Q Where is that located? 10 11 Α Here in Wolf Point. How long did you continue to operate that water 12 Q treatment system? 13 I still do. Α 14 15 Q Does it help to alleviate the problems at all? Α The rust isn't so bad. That's about it. 16 Is there any other benefit from the 17 water 18 treatment system aside from alleviating rust? 19 Α No. 20 Have you ever spoken with anyone from either Grace Petroleum or Samson Hydrocarbons that you can recall? 21 22 Not that I can recall. MR. STERUP: I have nothing further. 23 24 EXAMINATION BY MR. FAGAN: 25 Denise, my name's Gerry Fagan. I represent Marathon Oil. Have you ever heard of any wells operated by 26

Marathon Oil well -- or Oil Company?

I've heard of the oil company.

27

28

Α

1. Q Not really aware of any wells? 2 Α No. How about Texas Oil and Gas? 3 Α No. 4 5 And you've never talked to any employees of either of those companies? 6 7 No. I haven't. 8 Q Is it my understanding that the first time you really were aware of possible contamination is when you 9 10 received the USGS report ----11 Yes, the contamination. --- and talked with Mr. Hull? And you hadn't 12 really talked to anyone prior to that about water quality 13 or potential problems? 14 Α No. 15 Were you aware that the USGS was going to produce 16 Q 17 a report? They just showed up one day and asked if they 18 could take some water samples, so I told them to go ahead 19 and take them. 20 That's the first time you'd heard about it? 21 Q A Yeah. 2.2 23 Q Are there oil wells around your property at all? Α Farther north. 24 25 Can you see them from your property? 0 26 A Not any more. There used to be one we could, but it's not there anymore. 27

It's been removed? .

[]

28

Q

Page 25 1 Yeah. Α 2 Were you very aware of oil activity in the Poplar area at all? 3 Um, heard of it and seen some wells here and 4 there, but that's about it. 5 6 Did you ever suspect that any of the oil field 7 activities might be causing the water problems? A No. 8 9 Q Never did? Α Never thought about it. 10 When was the first time you actually thought about 11 12 it or did you ever? 13 When it was -- I don't know. Someone mentioned it to my mother one time before. I can't really remember who. 14 You know, have you ever really thought about maybe that's 15 where your bad water's coming from. 16 And you were there for that conversation or you 17 were? 18 A No, my mom was. She told me. 19 20 When was that? Q I don't know, years ago. 21 22 Q Before you moved onto your -----23 No, after I had mine. A Sometime after ----24 Q Α Yeah. 25

1 1

26

27

28

0

A

Yeah.

Did you ever talk to anybody then after your mom 0

You're talking like early 90's or?

Something like that.

1' mentioned that to you? 2 Α No. 3 Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? 4 5 Α In our area? Q Unhunh. (Indicates yes.) 6 7 Α No. Any other areas? 8 Q 9 Α No, just on TV maybe. Do you think the water quality 10 Q deteriorated since '89? 11 Α Yes, it has. 12 A lot? 13 0 Yes. Α 14 Just gradually or in spurts or? 15 0 16 Α Yeah, gradually. And how so? What's worse about it? 17 0 Um, the color, the smell. 18 Α Started out okay and just got worse? 19 Q 20 Α Yeah. When you talked with Ken Hull, did he mention 21 Q 22 anything about the oil companies possibly -----23 Α No. So it sounds like the USGS report came out of the 24 blue for the most part? 25 26 Α For me, yeah. 27 MR. FAGAN: I have no further questions. Thanks. 28 EXAMINATION BY MR. WEBSTER:

- Q Denise, my name is Mike Webster and I represent Murphy Exploration, and I'll just follow-up with a few questions. You said you have three children and their ages are 16, 9 and 4, but I didn't know their names. So who's the 16 year old?
 - A Adam Grainger.
 - Q How about the 9 year old?
 - A Jay Grandchamp.
 - Q And the 4 year old?
- A Tina Kohl.
 - Q And you said they live with you?
- 12 A With me.

1'

2

3

4

5

6

7

8

9

10

11

13

14

15

16

17

18

19

20

21

22

23

24

25

- Q The property that you live on is under a lease. Do you know -- as you understand it, how much longer do you have before the property would be transferred to you, the ownership of it?
- A They told me approximately 25 years, and that was in 1989.
- Q Okay.
 - A Twenty to 25 years.
- Q And you haven't done anything that would have caused that time period to be extended at all?
- A No.
 - Q As far as -- are you currently now receiving bottled water?
- A Yes.
- Q And were you receiving -- or were you using bottled water before then? before you began to receive it

1 from the oil company folk? 2 For a short time before. Q And you had made those arrangements yourself? 3 Α Yes. 4 And had paid for that water yourself? 5 Q Yes. Α 6 7 Have you ever had any septic system problems at 0 your house? 8 Α Yes. Um, once. 9 Okay. Can you -- do you know when that was? 10 11 A Not exactly or not the exact date; um, maybe three years ago -- two or three years ago. 12 And what was the nature of that problem? 13 I'm not really sure. A 14 15 Did you need to hire someone to come out and fix the problem or did you contact someone about the problem? 16 contacted Fort Peck Tribes 17 Enterprise department. 18 19 Q And is that the people who take care of the Fort Peck Housing Authority homes? 20 A Yes. 21 0 And did they send 22 someone out then do something? 23 24 Α Yes, they did. Do you know who that was? 25 Q No, I don't. A 26 Do you know what they did? 27 Q

No, I don't.

28

A

1 Whatever they did, did it work? 0 2 Yeah. A 3 The well that is currently out there, the one that 4 you now use, you said you use it for showering and for washing dishes and, I assume, for toilets and those things? 5 Α Yeah. 6 But you don't drink it? 7 Α No. 8 When was the last time that you drank water from 9 Q 10 those wells? or from your well? Probably '96, '97 -- '96 -- somewhere around Α 11 there. I don't know exact. 12 If I were to tell you that, in your answers to 13 interrogatories, you said that you stopped drinking the 14 water in 1991 or '92, would that surprise you? 15 possible? 16 A I may have said that. Um, I don't know. 17 I'm not really good on dates and. . . 18 Okay, but it's been some period of years ----19 Q Yes. 20 Α --- since you've drank that water? 21 Yes, cause we used to haul it from town before 22 that. So, yeah, I guess it would have been longer than '96 23 or '95. 24 When the USGS was out and they did their on-the-25

ground sampling, did you have a chance to talk to any of

those people? to visit with Joanna Thamke?

28 A No.

26

1 1 Did you visit with any of the other people who 0 2 were out there doing the work? I was working at the time, and she just 3 showed up one evening after work; and then I assumed they 4 5 came during the day while I was gone at work. Thinking back to when she just came and said we 6 Q 7 want to take some water samples from your home, did you ask her, well, why do you want to do that? 8 No, I didn't. 9 Α 10 You weren't curious? 11 Not really. Just figured it was something maybe through the Housing Authority or something. 12 Did she identify herself as with the USGS? 13 Q Yes. Α 14 Um, thinking back to the water and the taste of 15 the water. I know you said it doesn't taste good, but what 16 -- can you identify what the taste is like? 17 18 Kind of salty. Um, I don't know. The smell is awful. 19 20 Q Is the smell the same today as it was -----Smells stronger. 21 Α Stronger? 22 Q (Indicates yes.) 23 Α Unhunh. What is it -- does it have a distinct -- an odor 24 that's like other odors. I mean, is it a sulphury kind of 25 26 _ _ _ _ _ 27 A Like sulphur. .

Like sulphur?

28

Q

1 Α Kind of like when those oil truckers pass our 2 house, and they have that smell. That's what it smells like. 3 Do you have problems with rust stains and those 4 5 things in your home? Α Yes. 6 7 Have you ever talked to any of the employees or any of the personnel from Murphy about your water? 8 9 A No, I haven't. Do you know that they operate in this area? 10 you aware of their presence up there? 11 Α Yeah. 12 You've never worked for them. Do you know anybody 13 that has ever worked for them? 14 Α No, not personally, no. 15 16 0 Um, and I can't recall, so I'm sorry if I -- if this question's already been asked. Did you ever visit 17 with anyone from the Indian Health Service about your 18 water? 19 20 Α Just, um -- just the names I mentioned. Well, the one I couldn't remember, the -- and Ken Hull. 21 22 Q And that was fairly recent? That wasn't a long time ago? 23 24 A Unhunh. (Deponent indicates yes.) 25 Have you ever talked to Deb Madison about your

ì i

Q Have you ever talked to anyone else at the Fort

water quality?

Α

No.

26

Peck Tribes at all about your water quality? 1' 2 Α No. MR. WEBSTER: 3 I don't think I have anything else. EXAMINATION BY MR. DOLAN: 4 Denise, I just have one question. What was the 5 6 nature of the septic problems, a flushing problem or? Α Flushing. I think there was a -- something 7 plugged it or something. 8 9 With respect to any of the analyses, 10 analyses, that you -- I know you don't have much knowledge or you haven't done much interpretation of them, but has 11 anyone ever told you you have any fecal coliform problem 12 with your drinking water? 13 Α No. 14 MR. DOLAN: Okay, nothing further. 15 (THERE BEING NO FURTHER QUESTIONS, THIS DEPOSITION WAS THEN 16 CONCLUDED AT 2:10 P.M.) 17 18 19 20 21 22 23 24 25

26

27

28

1 | DEPONENT'S CERTIFICATE I, DENISE GRAINGER, do hereby certify that I have read the foregoing transcript of my testimony and that the same is a full, true and correct record of my deposition except as to any corrections I have listed on the Corrections to Deposition form. Changes and corrections made. No changes or corrections made. DENISE GRAINGER Subscribed and sworn to before me this _____ day of ____, 2001. NOTARY PUBLIC for the State of Montana _____, Montana Residing at My Commission expires 2.0

1'	
2	
3	
4	the f
5	PAGE
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	,
25	
26	
27	

28

1.1

CORRECTIONS TO DEPOSITION

	The	Depo	nent,	DEN	ISE	GRAINGER	١, ٤	states	she	wishes	to	make
the	follo	owing	chang	es :	in t	estimonv	as	origin	nally	sworn.		

PAGE	LINE	SHOULD READ	REASON
			
			·
			
	·	· · · · · · · · · · · · · · · · · · ·	

DENISE GRAINGER

- 1	position of Demise Gramger		H2C1	Cause #CV 98-108-BLG-	
1			1	INDEX .	Page 3
2	IN THE UNITED STATES DISTRICT COURT		2	EPONENT:	
3	FOR THE DISTRICT OF MONTANA BILLINGS DIVISION	į	3	Page	
5	•••••		,	EXAMINATION BY MR. ROSS	
6	CARY G. YOUPEE, et al.,		6	EXAMINATION BY MR. FAGAN	
7	Plaintiffs, vs.		7	EXAMINATION BY MR. WEBSTER	
8	MURPHY OIL USA, INC., et al.,		8	EXAMINATION BY MR. DOLAN	
9	Cause No. CV 98-108-BLG-JD Defendants.		9	CERTIFICATE OF COURT REPORTER	
10	Judgo Jack D. Shanstrom	i	10	DEPONENT'S CERTIFICATE	
12	MESA PETROLEUM AND PIONEER NATURAL RESOURCES, USA, INC.,	- 1	12	CORRECTIONS TO DEPOSITION	
13	Defendants/	1	13	EXHIBITS	
14	Third Party Plaintiffs 6 DEPOSITION Cross Plaintiffs,		14	Page	
15	OF DENISE GRAINGER		15 5	Notice of Taking Deposition of Denise Grainger 5 Bureau of Indian Affairs Leese, Renz-Fort Pock Housing 9	
16	AMARCO RESOURCES CORP. BESTWAY INC.; WESTDALE		16 6	Well Log Report, DNRC - Well M36, Denise Grainger 12	
17	PETROLEUM INC.; and THE PRUDENTIAL GROUP,		17 7	PHS Indian Health Service, Well Report for Denise	
18	Third Party Defendants,	l	19	Grainger	
20	vs.		19 8 20 9		
21	JOHN DOES 4-50,		21	Joanna N. Thamke, USGS	
22	Cross-Defendants.	_	22		
23	TIME. Monday Time 11 2001 or 1.14 p.m.		23		
24	TIME: Monday, June 11, 2001 at 1:14 p.m. PLACE: Sherman Motor Inn, 200 East Main, Wolf Point,		24		
25	ESTATE OF THE PROPERTY OF THE		25		
26		ŀ	26		
27		i	27 28		
"			••		
		Page 2		Pa	age 4
1	APPEARANCES		1	BE IT REMEMBERED: That the oral deposition of DENI	_
3	ATTORNEY FOR PLAINTIFFS:			GRAINGER was taken at 1:14 p.m. on the 11th day of Jur	
,	Richard J. Dolan, Esq. GOETZ, GALLIK, BALDWIN & DOLAN, P.C.		3 2	001 at the Sherman Motor Inn, 200 East Main, Wolf Po	• .
5	The Ketterer Building				
	35 North Grand		4 N	Montana, with the appearances of counsel hereinbefore	е
- 6	35 NOTEN GEANG P.O. Box 6580 Bozeman, Montana 59771-6580		4 N 5 n	oted, before Joann D. Heser, Official Court Reporter and	е
5	P.C. Sox 6580 Bozeman, Montana 59771-6580	17.	4 N 5 n 6 N	oted, before Joann D. Heser, Official Court Reporter and Notary Public for the State of Montana.	e d
6 7 9	P.O. Box 6580 Bozeman, Montana 59771-6580 ATTORNEY FOR MURPHY EXPLORATION 6 PRODUCTION COMPAN	ν <u>γ:</u>	4 N 5 n 6 N 7	oted, before Joann D. Heser, Official Court Reporter and Notary Public for the State of Montana. Diane Faye, of Attorney's Video Service of Montana	e d
7 9 9	P.C. Sox 6580 Bozeman, Montana 59771-6580		4 N 5 n 6 N 7	noted, before Joann D. Heser, Official Court Reporter and Notary Public for the State of Montana. Diane Faye, of Attorney's Video Service of Montana or seems to videotape the proceedings, placed an	e d a,
7 8 9 10	P.O. Box 6580 Bozeman, Montana 59771-6580 ATTORNEY FOR MURPHY EXPLORATION 6 PRODUCTION COMPAN Michael E. Webster, Enq. CROWLEY, HAUGHEY, HANSON, TOOLE 6 DIETRICH, PL 490 North 31st Street Billings, Montana 59101	.1.2	4 N 5 n 6 N 7 8 p 9 ii	oted, before Joann D. Heser, Official Court Reporter and Notary Public for the State of Montana. Diane Faye, of Attorney's Video Service of Montana	e d a,
7 8 9 10	P.O. Box 6380 Bozeman, Montana 59771-6580 ATTORNEY FOR MURPHY EXPLORATION & PRODUCTION COMPAN Michael E. Webster, Enq. CROWLEY, HAUGHEY, HANSON, TOOLE & DIETRICH, PL 490 North 31st Street Billings, Montana 59101 ATTORNEY FOR MARATHON OIL COMPANY:	TF5	4 N 5 n 6 N 7 8 p 9 ii 10 p	Notary Public for the State of Montana. Diane Faye, of Attorney's Video Service of Montana aresent to videotape the proceedings, placed an introduction onto the videotaped record. The following proceedings were then had:	e d a,
7 8 9 10	P.O. Box 6380 Bozeman, Montana 59771-6580 ATTORNEY FOR MURPHY EXPLORATION & PRODUCTION COMPAN Michael E. Webster, Eng. CROWLEY, HAUGHEY, HANSON, TOOLE & DIETRICH, PL 490 North 3ist Street Billings, Montana 59101 ATTORNEY FOR MARATHON OIL COMPANY: Gerry P. Fagan, Esq. Gerald B. Murphy, Esq. MOULTON, ESLINEMAN, LONGO & MATHER, P.C.	,L2	4 N 5 n 6 N 7 8 p 9 ii 10 p 11	Notary Public for the State of Montana. Diane Faye, of Attorney's Video Service of Montana aresent to videotape the proceedings, placed an introduction onto the videotaped record. The following proceedings were then had: Whereupon,	e d a,
7 8 9 10 11	P.O. Box 6580 Bozeman, Montana 59771-6580 ATTORNEY FOR MURPHY EXPLORATION & PRODUCTION COMPAN Michael E. Webster, Eng. CROWLEY, HAUGHEY, HANSON, TOOLE & DIETRICH, PL 490 North 3ist Street Billings, Montana, 59101 ATTORNEY FOR MARATHON OIL COMPANY: Gerry P. Fagan, Esq. Gerald B. Murphy, Esq. MOULTON, BELLINGHAM, LONGO & MATHER, P.C. Suite 1900, Sheraton Plata P.O. Box 2559	LL2	4 N 5 n 6 N 7 8 p 9 ii 10 p 11 12 V	Noted, before Joann D. Heser, Official Court Reporter and Notary Public for the State of Montana. Diane Faye, of Attorney's Video Service of Montana aresent to videotape the proceedings, placed an introduction onto the videotaped record. The following proceedings were then had: Whereupon, DENISE GRAINGER.	e d
7 8 9 10 11 12	P.O. Box 6380 Bozeman, Montana 59771-6580 ATTORNEY FOR MURPHY EXPLORATION & PRODUCTION COMPAN Michael E. Webster, EBq. CROWLEY, HANGON, TOOLE & DIETRICH, PL 490 North 3ist Street Billings, Montana 59101 ATTORNEY FOR MARATHON OIL COMPANY: Gerry P. Fagan, Esq. Garaid B. Murphy, Esq. MOULTON, BELLINGHAM, LONGO & MATHER, P.C. Suite 1900, Sheraton Plana P.O. Box 2559 Billings, Montana 59103	.1.2	4 N 5 n 6 N 7 8 p 9 ii 10 p 11 12 V 13 14 c	Noted, before Joann D. Heser, Official Court Reporter and Notary Public for the State of Montana. Diane Faye, of Attorney's Video Service of Montana present to videotape the proceedings, placed an introduction onto the videotaped record. The following proceedings were then had: Whereupon, DENISE GRAINGER, alled for examination, and being first duly sworn upon the state of the	e d
7 9 10 11 12 13	P.O. Box 6580 Bozeman, Montana 59771-6580 ATTORNEY FOR MURPHY EXPLORATION & PRODUCTION COMPAN Michael E. Webster, Eng. CROWLEY, HAUGHEY, HANSON, TOOLE & DIETRICH, PL 490 North 3ist Street Billings, Montana, 59101 ATTORNEY FOR MARATHON OIL COMPANY: Gerry P. Fagan, Esq. Gerald B. Murphy, Esq. MOULTON, BELLINGHAM, LONGO & MATHER, P.C. Suite 1900, Sheraton Plata P.O. Box 2559	.1.2	4 N 5 n 6 N 7 8 p 9 ii 10 p 11 12 V 13 14 c 15 o	Noted, before Joann D. Heser, Official Court Reporter and Notary Public for the State of Montana. Diane Faye, of Attorney's Video Service of Montana present to videotape the proceedings, placed an introduction onto the videotaped record. The following proceedings were then had: Whereupon, DENISE GRAINGER, alled for examination, and being first duly sworn upon hath, testified as follows:	e d
7 8 9 10 11 12 13 14 15 16	P.O. Box 6580 Bozeman, Montana 59771-6580 ATTORNEY FOR MURPHY EXPLORATION & PRODUCTION COMPAN Michael E. Webster, Ebq. CROWLEY, HAUGHEY, HANSON, TOOLE & DIETRICH, PL 490 North 3ist Street Billings, Montana 59101 ATTORNEY FOR MARATHON OIL COMPANY: Gerry P. Fagan, Esq. Gereld B. Murphy, Esq. MOULTON, BELLINGHAM, LONGO & MATHER, P.C. Suite 1900, Sheraton Plata P.O. Box 2559 Billings, Montena 59103 ATTORNEY FOR PIONEER NATURAL RESOURCES COMPANY: John Walker Ross, Esq. BROWN LAW FIRM, P.C. P.O. Drawer 849	.1.2	4 N 5 n 6 N 7 8 p 9 ii 10 p 11 12 V 13 14 c 15 o	Noted, before Joann D. Heser, Official Court Reporter and Notary Public for the State of Montana. Diane Faye, of Attorney's Video Service of Montana present to videotape the proceedings, placed an introduction onto the videotaped record. The following proceedings were then had: Whereupon, DENISE GRAINGER, alled for examination, and being first duly sworn upon the state of the	e d a, her
7 9 10 11 12 13 14 15 16 17	P.C. Box 6380 Bozeman, Montana 59771-6580 ATTORNEY FOR MURPHY EXPLORATION & PRODUCTION COMPAN Michael E. Webster, Eng. CROWLEY, HAUGHEY, HANSON, TOOLE & DIETRICH, PL 490 North 3ist Street Billings, Montana 59101 ATTORNEY FOR MARATHON OIL COMPANY: Gerry P. Fagan, Esq. Gerald B. Murphy, Esq. MOULTON, Estlingham, Longo & MATHER, P.C. Suite 1900, Sheraton Plaza P.O. Box 2559 Billings, Montana 59103 ATTORNEY FOR PIONEER NATURAL RESOURCES COMPANY: John Walker Ross, Esq. BROWN LAW FIRM, P.C.	.r5	4 N 5 n 6 N 7 8 p 9 ii 10 p 11 12 V 13 14 c 15 o 16 E	Notary Public for the State of Montana. Diane Faye, of Attorney's Video Service of Montana resent to videotape the proceedings, placed an introduction onto the videotaped record. The following proceedings were then had: Whereupon, DENISE GRAINGER, alled for examination, and being first duly sworn upon that, testified as follows: EXAMINATION BY MR. ROSS:	e d a, her
7 8 9 10 11 12 13 14 15 16 17 18	P.O. Box 6580 Bozeman, Montana 59771-6580 ATTORNEY FOR MURPHY EXPLORATION & PRODUCTION COMPAN Michael E. Webster, EBq. CROWLEY, HAUGHEY, HANSON, TOOLE & DIETRICH, PL 490 North 3ist Street Billings, Montana 59101 ATTORNEY FOR MARATHON OIL COMPANY: Gerry P. Fegan, Esq. Gerald B. Murphy, Esq. MOULTON, BELLINGRAM, LONGO & MATHER, P.C. Suite 1900, Sheraton Plaza P.O. Box 2559 Billings, Montana 59103 ATTORNEY FOR PIONEER NATURAL RESOURCES COMPANY: John Walker Ross, Esq. BROWN LAW FIRM, P.C. P.O. Drawer 849 315 North 24th Street	.1.2	4 N 5 n 6 N 7 8 p 9 ii 10 p 11 12 V 13 14 c 15 o 16 E 17 18 F 19 E	Notary Public for the State of Montana. Diane Faye, of Attorney's Video Service of Montana Diane Faye, of Montana Diane Faye, of Attorney's Video Service of Montana Diane Faye, of Montana Diane Faye, of Attorney's Video Service of Montana Diane Faye, of Montana Diane Faye, of Attorney's Video Service of Montana Diane Faye, of Montana Diane Faye, of Montana Diane Faye, of Attorney's Video Service of Montana Diane Faye, of Montana Diane Faye, of Montana Diane Faye, of Attorney Service of Montana Diane Faye, of Montana Diane Faye, of Attorney Service of Montana Diane Faye,	e d a, her
7 9 10 11 12 13 14 15 16 17	P.O. Box 6380 Bozeman, Montana 59771-6580 ATTORNEY FOR MURPHY EXPLORATION & PRODUCTION COMPAN Michael E. Webster, Ebg. CROWLEY, HAUGHEY, HANSON, TOOLE & DIETRICH, PL 490 North 3ist Street Billings, Montana 59101 ATTORNEY FOR MARATHON OIL COMPANY: Gerry P. Fagan, Esg. Gerald B. Murphy, Esg. MOULTON, BELLINGHAM, LONGO & MATHER, P.C. Suite 1900, Sheraton Plana P.O. Box 2559 Billings, Montana 59103 ATTORNEY FOR PIONEER NATURAL RESOURCES COMPANY: John Walker Ross, Esg. BROWN LAW FIRM, P.C. P.O. Drawer 849 315 North 24th Street Billings, Montana 59103-0849 ATTORNEY FOR SAMSON HYDROCARBONS: ROBERT & WHITMEY ROBERT L. Storup, Esg. DORSEY & WHITMEY	.1.2	4 N 5 n 6 N 7 8 p 9 ii 10 p 11 V 13 c 15 o 16 E 17 18 F 19 E 20	Notary Public for the State of Montana. Diane Faye, of Attorney's Video Service of Montana Diane Faye, placed an Introduction onto the videotaped record. The following proceedings were then had: DENISE GRAINGER, alled for examination, and being first duly sworn upon that, testified as follows: EXAMINATION BY MR. ROSS: Q Denise, my name is John Ross, and I'm a lawyer folloneer Natural Resources. Is it all right if I call you Denise for this deposition? A Yes.	e d a, her
7 8 9 10 11 12 13 14 15 16 17 18 19 20	P.C. Box 6380 Bozeman, Montana 59771-6580 ATTORNEY FOR MURPHY EXPLORATION & PRODUCTION COMPAN Michael E. Webster, Eng. CROWLEY, HAUGHEY, HANSON, TOOLE & DIETRICH, PL 490 North 31st Street Billings, Mortana, 59101 ATTORNEY FOR MARATHON OIL COMPANY: Gerry P. Fagan, Esq. Gerald B. Murphy, Esq. MOULTON, BELLINGHAM, LONGO & MATHER, P.C. Suite 1900, Sheraton Plaza P.O. Box 2559 Billings, Montana 59103 ATTORNEY FOR PIONEER NATURAL RESOURCES COMPANY: John Waiker Ross, Esq. BROWN LAW FIRM, P.C. P.O. Drawer 849 315 North 24th Street Billings, Montana 59103-0849 ATTORNEY FOR SAMSON HYDROCARBONS: ROBERT L. Starup, Esq. DORSEY & WHITNEY 1200 First Interstate Center 40: North 31st Street	.r5	4 N 5 n 6 N 7 8 p 9 ii 110 p 111 V 113 C 115 O 116 E 117 I 119 E 120 21	Notary Public for the State of Montana. Diane Faye, of Attorney's Video Service of Montana Diane Faye, placed an Introduction onto the videotaped record. The following proceedings were then had: Whereupon, DENISE GRAINGER, alled for examination, and being first duly sworn upon thath, testified as follows: EXAMINATION BY MR. ROSS: Q Denise, my name is John Ross, and I'm a lawyer froncer Natural Resources. Is it all right if I call you Denise for this deposition? A Yes. Q Have you ever had your deposition taken before?	e d a, her
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	P.O. Box 6580 Bozeman, Montana 59771-6580 ATTORNEY FOR MURPHY EXPLORATION & PRODUCTION COMPAN Michael E. Webster, Eng. CROWLEY, HAUGHEY, HANSON, TOOLE & DIETRICH, PL 490 North 3ist Street Billings, Montana 59101 ATTORNEY FOR MARATHON OIL COMPANY: Gerry P. Fagan, Esg. Gerald B. Murphy, Esq. MOULTON, BELLINGHAM, LONGO & MATHER, P.C. Suite 1900, Sheraton Plata P.O. Box 2559 Billings, Montana 59103 ATTORNEY FOR PIONEER NATURAL RESOURCES COMPANY: John Walker Ross, Esq. BROWN LAW FIRM, P.C. P.O. Drawer 849 315 North 24th Street Billings, Montana 59103-0849 ATTORNEY FOR SAMSON HYDROCARBONS: ROBERT L. Starup, Esq. DORSEY & WHITNEY 1200 First Interstate Center	.r5	4 N 5 n 6 N 7 8 p 9 in 10 p 11 V 13 4 c 15 o 16 E 17 18 F 19 E 20 21 22 22	Notary Public for the State of Montana. Diane Faye, of Attorney's Video Service of Montana diresent to videotape the proceedings, placed an introduction onto the videotaped record. The following proceedings were then had: Whereupon, DENISE GRAINGER, alled for examination, and being first duly sworn upon thath, testified as follows: EXAMINATION BY MR. ROSS: Q Denise, my name is John Ross, and I'm a lawyer of Pioneer Natural Resources. Is it all right if I call you Denise for this deposition? A Yes. Q Have you ever had your deposition taken before? A No, I haven't.	e d a, her
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	P.O. Box 6380 Bozeman, Montana 59771-6580 ATTORNEY FOR MURPHY EXPLORATION & PRODUCTION COMPAN Michael E. Webster, Eng. CROWLEY, HAUGHEY, HANSON, TOOLE & DIETRICH, PL 490 North 3ist Street Billings, Montana 59101 ATTORNEY FOR MARATHON OIL COMPANY: Gerry P. Fagan, Esq. Gozeld B. Murphy, Esq. MOULTON, BELLINGHAM, LONGO & MATHER, P.C. Suite 1900, Sheraton Plata P.O. Box 2559 Billings, Montena 59103 ATTORNEY FOR PIONEER NATURAL RESOURCES COMPANY: John Walker Ross, Esq. BROWN LAW FIRM, P.C. P.O. Drawer 849 315 North 24th Street Billings, Montana 59103-0849 ATTORNEY FOR SAMSON HYDROCARBONS: ROBERT & SHHITMEY 1200 First Interstate Center 401 Worth 3ist Street P.O. Box 1138	.1.2	4 N 5 n 6 N 7 8 p 9 ii 10 p 11 V 13 4 c 15 o 16 E 17 E 19 E 20 21 22 23	Notary Public for the State of Montana. Diane Faye, of Attorney's Video Service of Montana Diane Faye, of Contana Denise Grand Diane Faye, of Contana Denise Faye, of Contana Denise for this deposition? A Yes. Q Have you ever had your deposition taken before? A No, I haven't. Q You understand the process is that I'll ask you	e d a, her
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	P.O. Box 6380 Bozeman, Montana 59771-6580 ATTORNEY FOR MURPHY EXPLORATION & PRODUCTION COMPAN Michael E. Webster, Eng. CROWLEY, HAUGHEY, HANSON, TOOLE & DIETRICH, PL 490 North 3ist Street Billings, Montana 59101 ATTORNEY FOR MARATHON OIL COMPANY: Gerry P. Fagan, Esq. Gozeld B. Murphy, Esq. MOULTON, BELLINGHAM, LONGO & MATHER, P.C. Suite 1900, Sheraton Plata P.O. Box 2559 Billings, Montena 59103 ATTORNEY FOR PIONEER NATURAL RESOURCES COMPANY: John Walker Ross, Esq. BROWN LAW FIRM, P.C. P.O. Drawer 849 315 North 24th Street Billings, Montana 59103-0849 ATTORNEY FOR SAMSON HYDROCARBONS: ROBERT & SHHITMEY 1200 First Interstate Center 401 Worth 3ist Street P.O. Box 1138	.r.5	4 N 7 8 p in 10 p 11 12 V 13 14 c o o o o o o o o o o o o o o o o o o	Notary Public for the State of Montana. Diane Faye, of Attorney's Video Service of Montana diresent to videotape the proceedings, placed an introduction onto the videotaped record. The following proceedings were then had: Whereupon, DENISE GRAINGER, alled for examination, and being first duly sworn upon thath, testified as follows: EXAMINATION BY MR. ROSS: Q Denise, my name is John Ross, and I'm a lawyer of Pioneer Natural Resources. Is it all right if I call you Denise for this deposition? A Yes. Q Have you ever had your deposition taken before? A No, I haven't.	e d a, her
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26	P.O. Box 6380 Bozeman, Montana 59771-6580 ATTORNEY FOR MURPHY EXPLORATION & PRODUCTION COMPAN Michael E. Webster, Eng. CROWLEY, HAUGHEY, HANSON, TOOLE & DIETRICH, PL 490 North 3ist Street Billings, Montana 59101 ATTORNEY FOR MARATHON OIL COMPANY: Gerry P. Fagan, Esq. Gozeld B. Murphy, Esq. MOULTON, BELLINGHAM, LONGO & MATHER, P.C. Suite 1900, Sheraton Plata P.O. Box 2559 Billings, Montena 59103 ATTORNEY FOR PIONEER NATURAL RESOURCES COMPANY: John Walker Ross, Esq. BROWN LAW FIRM, P.C. P.O. Drawer 849 315 North 24th Street Billings, Montana 59103-0849 ATTORNEY FOR SAMSON HYDROCARBONS: ROBERT & SHHITMEY 1200 First Interstate Center 401 Worth 3ist Street P.O. Box 1138	.1.2	4 N 7 8 p in 10 p 11 12 V 13 14 c o o o o o o o o o o o o o o o o o o	Notary Public for the State of Montana. Diane Faye, of Attorney's Video Service of Montana Diane Faye, of Attorney's Placed an Introduction onto the videotaped record. The following proceedings were then had: DENISE GRAINGER. alled for examination, and being first duly sworn upon that, testified as follows: EXAMINATION BY MR. ROSS: Q Denise, my name is John Ross, and I'm a lawyer for Pioneer Natural Resources. Is it all right if I call you Denise for this deposition? A Yes. Q Have you ever had your deposition taken before? A No, I haven't. Q You understand the process is that I'll ask you questions and you're to answer those as truthfully and as	e d a, her
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	P.O. Box 6380 Bozeman, Montana 59771-6580 ATTORNEY FOR MURPHY EXPLORATION & PRODUCTION COMPAN Michael E. Webster, Eng. CROWLEY, HAUGHEY, HANSON, TOOLE & DIETRICH, PL 490 North 3ist Street Billings, Montana 59101 ATTORNEY FOR MARATHON OIL COMPANY: Gerry P. Fagan, Esq. Gozeld B. Murphy, Esq. MOULTON, BELLINGHAM, LONGO & MATHER, P.C. Suite 1900, Sheraton Plata P.O. Box 2559 Billings, Montena 59103 ATTORNEY FOR PIONEER NATURAL RESOURCES COMPANY: John Walker Ross, Esq. BROWN LAW FIRM, P.C. P.O. Drawer 849 315 North 24th Street Billings, Montana 59103-0849 ATTORNEY FOR SAMSON HYDROCARBONS: ROBERT & SHHITMEY 1200 First Interstate Center 401 Worth 3ist Street P.O. Box 1138	.1.2	4 N 7 8 p in 10 p in 11 12 V 13 13 C 16 E 17 18 F 19 C 22 22 22 24 q c 25 26 27	Notary Public for the State of Montana. Diane Faye, of Attorney's Video Service of Montana Diane Faye, placed an Introduction onto the videotaped record. The following proceedings were then had: Whereupon, DENISE GRAINGER, alled for examination, and being first duly sworn upon that, testified as follows: EXAMINATION BY MR. ROSS: Q Denise, my name is John Ross, and I'm a lawyer folloneer Natural Resources. Is it all right if I call you Denise for this deposition? A Yes. Q Have you ever had your deposition taken before? A No, I haven't. Q You understand the process is that I'll ask you questions and you're to answer those as truthfully and as completely as you can?	e d a, her for

Deposition of Denise Grainger	CondenseIt! 'M	Cause #CV 98-108-BLG-JDS
	Page 5	Page 7
1 when it's done?	- 1	n't. He just said it was found in some of
2 A Yes.	2 them or a coup	
'3 Q 'And you understand that that deposition can be		know if those were wells that were actually
4 used later at trial to compare with the evidence at trial?	4 being used by a	
5 A Yes, I do.	5 A No, I do	_ -
6 (AT THIS TIME, THE COURT REPORTER MARKS DEPOSITION		sk you first a few background questions.
7 EXHIBIT 4 FOR IDENTIFICATION PURPOSES.)		re were you born?
8 Q I'll show you what's marked as Plaintiff's Exhibit	8 A In Popla	•
9 No. 4. Have you seen that before?	9 Q In what	· ·
10 A Yes, I have.	10 A 1966.	, • • • • • • • • • • • • • • • • • • •
11 Q And that's a notice of your deposition and request		you an enrolled member of the Tribe?
12 to bring documents, is it not?	12 A Yes, I ar	
13 A Yes.		e you lived in this area since 1966?
14 Q Did you bring any documents with you today?	14 A Yes, I ha	
15 A No, I did not.	I	vour educational background?
16 Q Do you have any documents that relate to matters	1	ool and some college, community college
	_	
17 in this lawsuit?		obtain a degree but I have taken college
18 MR. DOLAN: Can we stop a second. Let's go off the record	18 courses.	1
19 a second.		he area of study in your college courses?
20 (THE DEPOSITION IS INTERRUPTED AT 1:17 P.M. AND RESUMED A		
21 1:19 P.M.)		our occupational background?
22 Q (By Mr. Ross) During the break, you indicated		trative assistant.
23 there may be one other document that you have not yet	23 Q For who	
24 produced. Could you describe what that document is?		y for the Indian Health Services in the
25 A (By Deponent) It was a letter or report written	25 Mental Health	-
26 to the Tribal Health Director, I believe. I can't really	26 Q Are you	
27 remember right off hand, but it was done by Ken Hull, who	27 A No, I'm	
28 is our sanitarian for Indian Health Services and he used	28 Q Did you	have children?
	Page 6	Page 8
1 to be my former boss, too. And, um, it had to do with		r ugo o
2 benzene being found in some of the water samples, bed	I	live with you?
3 he discussed that with me, you know, about the benz		•
4 being found in some of the houses, some of the wat		ny children do you have?
5 samples, and just told me, if I was you I wouldn't be	· · · · · · · · · · · · · · · · · · ·	ny chitach do you have:
6 drinking that water or, ah or bathing in it or bathing	I	at are their ages?
7 your kids or I mean, really talked bad about it. And		
8 did give me a letter that he wrote to the Tribal Health		you what's been marked as Plaintiff's
9 director. I'm pretty sure it was to the Tribal Health		and ask if you would identify for us where
10 director. But they did some sampling.		s is Exhibit 1 right here. Would you take
Q And will you produce a copy of that letter for u		st write your name by the well that you use
12 A Yes, I'll look for it tonight.	12 as shown on Ex	
Q When was that letter prepared? Do you rememb		nt confers with her attorney and indicates
14 A I can't remember exactly.	14 on map as requ	•
15 Q Do you remember the year?	-	ou. How long have you lived in that
16 A This was just like a year or two ago.		on Exhibit 1 near well 36?
Q Do you remember, did it relate to your water or		
18 other persons' water?		at's the nature of your property there? How
19 A He didn't say specifically whose it was. That's		do you have, what sort of interest in that
20 all he said was that they were asked to do samples on t		
21 household households. I don't know who asked the	,	ally belonged to my grandmother, who
22 anything.		two sons, my father and his brother I
23 Q Are you aware of benzene in any of your water?		fore her death, actually. She gift deeded
24 A I'ın not aware of it.	I	my father died five years ago, then my mother
25 Q Are you aware of benzene in any other particula	·	d then my uncle still owns the other half.
26 well?		again is your interest in it?
27 A According to him, there is.		got a homesite lease on it.
28 Q Do you remember which well that was?	28 (AT THIS TIME	, THE COURT REPORTER MARKS DEPOSITION
termination of the second of t		

Deposition of Denise Grainger	Conden	scIt!™	Cause #CV 98-108-BLG-JDS
	Page 9	-	Page 11
1 EXHIBIT 5 FOR IDENTIFICATION PURPOSES.)			ow far apart approximately how far apart are
2 Q (By Mr. Ross) I'll show you what's been r		2 M36 and	i M38?
3 Plaintiff's Exhibit 5 and ask if you can identify the	1		h, geez, I'm not really good with measuring at
4 us?			very far, maybe the length of a football field.
5 A (By Deponent) Okay, yeah, that's the lease	·		kay, that's always a good measuring stick. How's
6 home for my homesite by the Fort Peck Housin	٠ ,		r from M38?
7 Q And from whom do you lease?			AN: Do you mean M36?
8 A Fort Peck Housing Authority leases two an	I .		By Mr. Ross) M36.
9 acres for my homesite through Fort Peck Housing	- 1		By Deponent) We haven't been able to really use
10 and my uncle and my mother.	i i		ery many things for approximately, oh, couple
11 Q And you said you've been there since nir			yway. Ever since we got our report back, our USGS
12 eighty			ve haven't used it for consumption; but prior to
13 A Three.	T I		did use it. And, um, to some extent, we didn't
14 Q Eighty-three.		_	e it for everything; but because of the smell
15 A I originally moved out there with my paren	ts when	5 it has a r	really awful smell the color, it's so murky and
16 I was in high school.		6 rusty.	
17 .Q Was the well is it M38 have I got the	right 11	7 Q So	you're saying the problems are one of color and
18 well?			s that are those the major problems with the
19 A Mine is M36.		9 water from	om M36 in your view?
20 Q M36. Was M36 there when you moved the	ere in 1983? 20) A N	ot right now, but, yeah, to begin with. After,
21 A No, it was not.	21	l we seen	the water tests water testing where there had
22 Q When you moved there in 1983, what was	the source 22	2 been con	tamination.
23 of your water?	2:	3 Q W	Then did you have it tested the test you're
24 A In '83?	24	4 talking a	bout?
25 Q Unhunh.	25	5 A U	SGS when they did all the testing, and we got our
26 A It would have been with my mother and fa	ther's, 20	6 reports b	pack.
27 Trivian Grainger's M38.	27	7 Q D	o you remember what year that was?
28 Q And when did you have drilled M36?	28	8 A I	don't know, a couple years ago, '97, '98.
	Page 10		Page 12
1 A Yes, the Housing Authority did that when	they	1 1998.	•
2 built my home for me.	1	2 (AT THIS	TIME, THE COURT REPORTER MARKS DEPOSITION
3 Q And what year was that?	:	3 ЕХНІВІТ 6	FOR IDENTIFICATION PURPOSES.)
4 A 1989.	4	4 Q (B	ly Mr. Ross) I'll show you what's been marked as
5 Q So you used M38 from 1983 to '89?	1 :	5 Exhibit 6	and ask if you can identify that for us.
6 A Yes.	I .		ly Deponent) It says well log report.
7 Q And how was the water in M39 during th	at time	7 Q D	o you know which well that relates to?
8 period of '83 to '89?	8		ine apparently. It has my name on it as well
9 MR. MURPHY: You said M39. Is that what you m	eant?	owner.	
10 Q (By Mr. Ross) Did you use which well	did you 10	O Q So	that would be M
11 use between '83 and '89?		-	nirty-six.
12 A (By Deponent) M38.	13		36. Do you know how deep your well is?
13 Q Okay, M38. How was the water in M38 be		•	o, I don't.
14 and '89?			TIME, THE COURT REPORTER MARKS DEPOSITION
15 A Rusty, sort of a bad smell, but it was okay			FOR IDENTIFICATION PURPOSES.)
16 seemed to be.	10		By Mr. Ross) I'll show you what's been marked as
17 Q Did you ever have it sampled?			. Can you identify that for us?
18 A No.	18		by Deponent) Apparently, it's a water analysis
19 Q Did not have?	19		the Indian Health Services.
20 A No.	20	-	oes that relate to your well, do you know?
21 Q What did you use the water for from M38?	I .		must, it has my name on it.
A Example a bothing drinking watering	21		masq n ms my name on it.

Q Any particular problems with it?

22

24

23 horses, everything.

26 Q And why did you decide to drill M36 in 1989?

A Everything, bathing, drinking, watering our

27 A Oh, by then I was out of school and married, and 28 that's when I had my own home built, so that was M36. 26 A Right.

25 was drilled?

22

23

24

27 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION EXHIBIT 28 8 FOR IDENTIFICATION PURPOSES.)

Q And that would have been shortly after that well

Q And that was taken in 1989, is that correct?

Page 15

Page 16

Q (By Mr. Ross) I'll show you what's been marked as

2 Exhibit 8. Can you identify that for us?

A (By Deponent) It says water analysis -- water 4 samples, usgs.

5 (AT THIS TIME, THE COURT REPORTER MARKED DEPOSITION EXHIBIT

6 9 FOR IDENTIFICATION PURPOSES.)

Q (By Mr. Ross) And then I'll show you Exhibit 9,

8 which is a four page document. Do you recall receiving

9 that letter and the attached documents?

A (By Deponent) Yes, I do.

Q And what is Exhibit 9? 11

A It's our letter from USGS explaining the results

13 of the analysis -- water analysis.

Q And what's your understanding of what thest 998 14

15 results indicate about your well water?

16 A Excuse me.

12

17

Q What's your understanding of what these 1998

18 results indicate about your well water? Do you have some

19 understanding about what these results show?

A No. I did take them and had someone interpret them 20

21 a little to me.

22 Q And who was that that you had interpret them?

23 A Oh, he worked for the Indian Health Services at

24 the time.

25 Q Do you recall his name?

26 A No, I don't.

27 Q What's your understanding of what those results

28 show? What's your understanding of what his interpretation

Q Yeah. You said it smells and the color's not

2 good. That's what I understand. Is that correct?

A Yes. That's correct. When we do fill up anything

4 outside, like we do have two horses back at home, and when

5 we fill up the tank, there's an actual film on top of the

6 water that looks like when you pour oil in water, that film

7 you get on top. We have that from that water.

Q So your testimony is that there's actually a film

9 on the water that comes out of that well?

10 A Yes.

11 Q Have you considered any other alternative source

12 of water or do you have any other alternative sources of

13 water?

14 A Just our drinking water, the bottled water. We

15 use that for drinking and cooking. Prior to that, we used

16 to haul water from town from my aunt's place for drinking

17 and cooking.

18 Q Do you know whether your well's ever been sampled

19 for any hydrocarbon contamination?

20 A I don't know.

21 O Do you or your family -- have you ever had any

22 interest in oil field development? Have you had any

23 working interest in an oil well or ever received any

24 royalties, anything like that?

25 A Yes, I do.

26

3

7

10

23

24

26

28

Q For which well or wells?

27 A I don't know right off hand.

28 Q Do you know from whom you receive those?

Page 14

1 was?

3

A Which year was that? 2

Q Ah, 1998.

4 A For the '89?

O 1998.

A Oh, for the 1998. Just that the water had been --

7 was contaminated and he just said he wouldn't recommend --

8 recommend using it for consumption.

Q When you say contaminated, what specifically is

10 the nature of the contamination as you understand it?

11 A I really don't know.

12 Q Do you use the water now from this well? From, I

13 guess it's M38 that you're on. Do you use that water at

14 all?

15 A M36?

16 Q M36.

A For taking showers. 17

18 Q Do you use it for anything else?

A Doing dishes. 19

20 Q Anything else?

21 A No.

22 Q Do you notice any problems with the water that you

23 use now in taking showers with it and doing dishes?

24 A Problems like? besides the smell and the way it

25 looks or?

26 O Yeah.

27 A The bad smell and the way -- the bad -- the way it

28 looks, murky, or?

A Through my grandfather, Roscoe White Eagle. When

2 he passed away he left me some land that does produce oil.

Q Where is that located?

A That's up in the Lustre fields. Lustre oil fields

which is, I guess, northwest of Wolf Point here.

Q Any oil interests in the East Poplar oil field? 6

Q Do you have any familiarity with the oil

9 development in the East Poplar oil field?

A No. I don't.

11 O Are you familiar with the location of any of the

12 wells, oil wells, that may have existed near your property?

13 A No, not really.

Q Do you have any idea where the alleged 14

15 contamination you talked about comes from?

A No, I don't. I know where there are some oil 16

17 wells, but I don't know what's contaminating what or.

Q So you don't have any idea which well may be 18

19 causing the problems for you?

20 A No.

21 Q Do you claim any damages as a result of the

22 alleged contamination in your well?

A Damages as far as?

O Either as to damages to your property or personal

25 damages, health damages, just any type of damages?

A Yes, property.

27 Q And what sort of property damages do you claim?

A Mostly in-home.

CondenseIt!™ Deposition of Denise Grainger Cause #CV 98-108-BLG-JDS Page 17 Page 19 Q And can you be more specific as to what those l ago. 2 damages are? Q So the early to mid-90's? 2 A Well, like faucets and everything else that it 3 A Yes. 4 eats away; pipes; um, we've had to have well pumps Q Did you talk to anybody about the problems that 5 replaced, which is costly; hot water heater; just things 5 you had with your water in the early to mid-90's? Did you 6 like that. 6 consult anybody about the problem? 7 Q How often have you had to replace faucets? A No, just the water treatment people to have a A Every couple years. 8 system installed. Q And what's the nature of the damage to the 9 Q And did you have a system -- treatment system 10 faucets? Why do you have to replace them? 10 installed? A They're -- they corrode. 11 A Yeah. 12 Q Anybody ever tell you why that is, why they 12 Q What type of system? 13 corrode? A I don't know. It's just, um, the kind where you 13 14 A No. 14 use the hard salt pellets to soften your water. 15 Q How often do you have to replace hot water 15 O How much salt was used in the system? Do you 16 heaters? 16 recall how much salt you put into the system on a periodic 17 A Since we've been there, twice. And same with our 17 basis? 18 pumps, too. 18 A Probably two bags a week. 19 Q Again, you've been on -- when you say since we've 19 Q And where was the discharge from that soft water 20 been there, you're referring ----20 treatment facility discharged, do you know? 21 A 1989. 21 A In the septic tank, I think. 22 Q 1989? 22 Q Where is the septic tank in relationship to your 23 A Unhunh. (Indicates yes.) 23 well? 24 Q Any other type of damages as a result of -----24 A My well is on the west side of my home, and the 25 A Damages? Um, we've put money into our yard trying 25 septic tank is on the east side -- southeast, I guess. 26 to grow trees and grass and lawn, whatever else, and we Q So when you first noticed the water going bad in 27 haven't been able to. 27 the early to mid 90's, you talked to water treatment people 28 O Do you use the water from your well to water trees 28 about trying to make it better, is that right? Page 20 Page 18 1 in your yard? A Yeah. A No. We don't really -- we don't have any trees in O Did you talk to anybody else during that time 3 my yard. We've tried to grow them, but they don't grow. 3 period, early to mid-90's about your water problem? Q When you tried to grow them, did you use water 5 from your well to water them? 5 Q Have you talked to anybody about your water 6 A Yes. 6 problem? 7 Q And what, did the trees die? 7 A Yes. 8 Q When did you decide to join in this lawsuit? Q Did they die right away? 9 9 A I don't know. A year ago. Over a year ago. 10 A Um, I can't really remember. It seems like they 10 Q How did you happen to decide to join this lawsuit? 11 did. They, um -- 1 mean, they didn't last over the summer A Well, after we got the report from USGS, we had 12 or anything. And we've tried like at least every other 12 some concerns and we had discussed it; and when we were 13 approached to ask if we wanted to join, we did. 13 year. 14 Q And it's your testimony that when you water them, 14 O And by whom were you approached? 15 they don't make it even a year? 15 A Um, the Youpee family, Rene. 16 A No. 16 O Rene ----17 Q When did you first become aware of this 17 A Martell. 18 contamination or problem with your water? 18 Q -- is Rene Martell. And what did he say when he 19 A Was it 1998 when we got our reports back from 19 approached you? Am I right, he approached you, you didn't 20 USGS? 20 approach him? 21 Q And was that the first time that you perceived 21 A Yeah, correct.

22

23

Q And what did he -----

A I can't really recall exactly what he said. We

25 There was some concern, it was -- may have been coming from

Q So just to make sure I understand the chronology

24 talked about the reports that we all got back from USGS.

26 the oil fields. Um, and they were thinking about starting

27 a lawsuit and would we be interested in joining.

22 that you had a problem with the water was 1998?

25 just quit drinking it and cooking with it.

A No, we knew there was something wrong with it

Q And, again, when did you quit using it? what year,

A I would say, approximately seven or eight years

24 because of the smell and because of the taste. When -- we

23

26

27 do you recall?

		eIt! [™] Cause #CV 98-108-BLG-JDS
Page	21	Page 23
1 here, it was after you got back the USGS results that you	1	A No.
2 talked to Rene Martell?	2	a continue of the continue of
3 A Correct.		that you mentioned?
4 Q I'll show you again what I think are the results	4	A When?
5 that you got back from USGS. Do you have some	5	
6 understanding of what in those results would indicate the	6	and the state of t
7 problem with your water?		couple years after we lived there.
8 A This is what I had discussed with Ken Hull, the	8	Q Where did you get it from?
9 Indian Health Services.	9	A Nemont Water Conditioning.
10 Q And is there anything in those results that you	10	
11 got back from USGS that you understand's the particular	11	A Here in Wolf Point.
12 problem with your water? In your conversations with	12	construction operate unit was:
13 Mr. Hull or Rene or someone else, do you have an	- 1	treatment system?
14 understanding of	14	A I still do.
15 A We were just told it was contaminated is what Ken	15	•
16 Hull said, that your water's contaminated.	16	
17 Q But they didn't point out any specific chemical	17	Q Is there any other benefit from the water
18	18	- ,
19 A No.	19	A No.
20 Q or any particular level?	20	Q Have you ever spoken with anyone from either Grace
21 A Not that I can remember.	21	Petroleum or Samson Hydrocarbons that you can recall?
22 Q So other than the odor and the taste and the	22	A Not that I can recall.
23 color, are there any other specific problems that you're	23	MR. STERUP: I have nothing further.
24 aware of with your water?	24	EXAMINATION BY MR. FAGAN:
25 A Besides being told it's contaminated? No.	25	Q Denise, my name's Gerry Fagan. I represent
26 Q And, again, the person that told you it was	26	Marathon Oil. Have you ever heard of any wells operated by
27 contaminated was this Mr. Hull?	27	Marathon Oil well or Oil Company?
28 A Yes.	28	A I've heard of the oil company.
Page	22	Page 24
1 Q And what's his position or background?	1	Q Not really aware of any wells?
2 A He's a sanitarian at the Indian Health Services.	2	
3 Q He would be in Poplar?	3	Q How about Texas Oil and Gas?
4 A Yes.	4	A No.
5 Q What's his first name?	5	Q And you've never talked to any employees of either
6 A Ken.	6	of those companies?
7 MR. ROSS: Ken. I have no further questions. Thank you.	7	A No, I haven't.
8 EXAMINATION BY MR. STERUP:	8	Q Is it my understanding that the first time you
9 Q Denise, my name is Rob Sterup. I represent Samson	9	really were aware of possible contamination is when you
10 Hydrocarbons. The home that you occupy at the present tir		received the USGS report
11 is one that you lease, is that correct?	11	A Yes, the contamination.
12 A Correct. Lease to own.	12	·
13 Q So you anticipate	- 1	really talked to anyone prior to that about water quality
14 A It's a home ownership.		or potential problems?
15 Q And you lease it from the Fort Peck Housing	15	A No.
16 Authority?	16	
17 A Right.	- 1	a report?
18 Q And you anticipate that when the lease terms have	18	· · · · · ·

- 19 been fulfilled, you eventually will own the home?
- 20 A Yes.
- 21 Q When was that home constructed?
- 22 A In 1989.
- 23 Q Was it constructed for you?
- 24 A Yes.
- Q At that time, was there any discussion about water
- 26 quality issues that you can recall?
- 27 A No.
- 28 Q It wasn't a concern to you at all?

- 19 could take some water samples, so I told them to go ahead
- 20 and take them.
- 21 Q That's the first time you'd heard about it?
- 22

26

- 23 Q Are there oil wells around your property at all?
- 24 A Farther north.
- 25 Q Can you see them from your property?
 - A Not any more. There used to be one we could, but
- 27 it's not there anymore.
 - Q It's been removed?

יע	eposition of Denise Grainger Con-	icns	Cause #CV 98-108-	RrG-1D2
	Page 2	5		· Page 27
1	<u></u> .	1	Q Denise, my name is Mike Webster and I repres	
2		2	Murphy Exploration, and I'll just follow-up with a f	
3	area at all?	3	questions. You said you have three children and their	
4	A Um, heard of it and seen some wells here and	4	are 16, 9 and 4, but I didn't know their names. So wh	
5	there, but that's about it.	5	the 16 year old?	
6	Q Did you ever suspect that any of the oil field	6	A Adam Grainger.	
7	activities might be causing the water problems?	7	Q How about the 9 year old?	
8		8	A Jay Grandchamp.	
9	•	9	Q And the 4 year old?	
10	5.	10	A Tina Kohl.	
11	, , , , , , , , , , , , , , , , , , , ,	11	Q And you said they live with you?	
- 1	it or did you ever?	12	A With me.	
13		13	Q The property that you live on is under a lease.	
	to my mother one time before. I can't really remember who.	14	Do you know as you understand it, how much longer	r do you
	You know, have you ever really thought about maybe that's	15	have before the property would be transferred to you, t	he
16	where your bad water's coming from.	16	ownership of it?	
17	, , , , , , , , , , , , , , , , , , , ,	17	A They told me approximately 25 years, and that	was
	were?	18	in 1989.	
19		19	Q Okay.	
20	Q When was that?	20	A Twenty to 25 years.	
21		21	Q And you haven't done anything that would have	ive
22	Q Before you moved onto your	22	caused that time period to be extended at all?	
23	A No, after I had mine.	23	A No.	-
24	·	24	Q As far as are you currently now receiving	
25		25	bottled water?	
26	· · · · · · · · · · · · · · · · · · ·	26	A Yes.	
27		27	Q And were you receiving or were you usin	B
28	Q Did you ever talk to anybody then after your mom	28	bottled water before then? before you began to receive	it l
- 1 1		1	·	-
-				
-	Page 2	6		Page 28
-	Page 2 mentioned that to you?	6 1	from the oil company folk?	
1	Page 2 mentioned that to you? A No.	6 1 2	from the oil company folk? A For a short time before.	Page 28
1 2	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits	6 1 2	from the oil company folk? A For a short time before. Q And you had made those arrangements you	Page 28
1 2 3	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies?	6 I 2 3	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes.	Page 28
1 2 3 4	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area?	5 1 2 3 4	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself?	Page 28
1 2 3 4 5	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.)	5 1 2 3 4 5	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes.	Page 28
1 2 3 4 5 6	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No.	5 1 2 3 4 5	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system prob	Page 28
1 2 3 4 5 6 7	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas?	5 1 2 3 4 5 6 7	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system probyour house?	Page 28
1 2 3 4 5 6 7 8	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe.	5 1 2 3 4 5 6 7 8	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system prob your house? A Yes. Um, once.	Page 28 rself?
1 2 3 4 5 6 7 8	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe. Q Okay. Do you think the water quality has	6 1 2 3 4 5 6 7 8 9	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system prob your house? A Yes. Um, once. Q Okay. Can you do you know when that	Page 28 rself? lems at was?
1 2 3 4 5 6 7 8 9	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe. Q Okay. Do you think the water quality has deteriorated since '89?	5 1 2 3 4 5 6 7 8 9 10 11	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system prob your house? A Yes. Um, once. Q Okay. Can you do you know when that A Not exactly or not the exact date; um, may	Page 28 rself? lems at was?
1 2 3 4 5 6 7 8 9	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe. Q Okay. Do you think the water quality has deteriorated since '89? A Yes, it has.	5 1 2 3 4 5 6 7 8 9 10 11	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system prob your house? A Yes. Um, once. Q Okay. Can you do you know when that A Not exactly or not the exact date; um, may years ago two or three years ago.	Page 28 rself? lems at was?
1 2 3 4 5 6 7 8 9 10	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe. Q Okay. Do you think the water quality has deteriorated since '89? A Yes, it has. Q A lot?	5 1 2 3 4 5 6 6 7 8 9 10 11 12	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system prob your house? A Yes. Um, once. Q Okay. Can you do you know when that A Not exactly or not the exact date; um, may years ago two or three years ago. Q And what was the nature of that problem?	Page 28 rself? lems at was?
1 2 3 4 5 6 7 8 9 10 11 12 13	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe. Q Okay. Do you think the water quality has deteriorated since '89? A Yes, it has. Q A lot? A Yes.	5 1 2 3 4 5 5 6 7 8 8 9 10 11 12 13	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system prob your house? A Yes. Um, once. Q Okay. Can you do you know when that A Not exactly or not the exact date; um, may years ago two or three years ago. Q And what was the nature of that problem? A I'm not really sure.	Page 28 rself? lems at was? be three
1 2 3 3 4 4 5 6 6 7 8 9 10 11 12 13 14	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe. Q Okay. Do you think the water quality has deteriorated since '89? A Yes, it has. Q A lot? A Yes. Q Just gradually or in spurts or?	6 1 2 2 3 3 4 4 5 5 6 6 7 7 8 8 9 10 11 12 13 13 14 15	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system prob your house? A Yes. Um, once. Q Okay. Can you do you know when that A Not exactly or not the exact date; um, may years ago two or three years ago. Q And what was the nature of that problem? A I'm not really sure. Q Did you need to hire someone to come out	Page 28 rself? lems at was? be three and fix
1 2 2 3 3 4 4 5 6 6 7 8 8 9 10 11 12 13 14 15	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe. Q Okay. Do you think the water quality has deteriorated since '89? A Yes, it has. Q A lot? A Yes. Q Just gradually or in spurts or? A Yeah, gradually.	6 1 2 2 3 3 4 4 5 5 6 6 7 7 8 8 9 10 11 12 13 13 14 15	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system prob your house? A Yes. Um, once. Q Okay. Can you do you know when that A Not exactly or not the exact date; um, may years ago two or three years ago. Q And what was the nature of that problem? A I'm not really sure. Q Did you need to hire someone to come out the problem or did you contact someone about the	Page 28 rself? lems at was? be three and fix problem?
1 2 3 3 4 4 5 6 6 7 8 8 9 10 11 12 13 14 15 16	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe. Q Okay. Do you think the water quality has deteriorated since '89? A Yes, it has. Q A lot? A Yes. Q Just gradually or in spurts or? A Yeah, gradually. Q And how so? What's worse about it?	6 1 22 3 3 4 5 6 6 7 7 8 9 10 11 12 13 14 15 16 16 16 16 16 16 16	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system probyour house? A Yes. Um, once. Q Okay. Can you do you know when that A Not exactly or not the exact date; um, may years ago two or three years ago. Q And what was the nature of that problem? A I'm not really sure. Q Did you need to hire someone to come out the problem or did you contact someone about the A I contacted Fort Peck Tribes Enterpress.	Page 28 rself? lems at was? be three and fix problem?
1 2 3 3 4 4 5 6 7 8 8 9 100 111 122 13 14 15 16 17	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe. Q Okay. Do you think the water quality has deteriorated since '89? A Yes, it has. Q A lot? A Yes. Q Just gradually or in spurts or? A Yeah, gradually. Q And how so? What's worse about it? A Um, the color, the smell.	5 1 2 3 3 4 5 6 7 7 8 9 10 11 12 13 14 15 16 17 17 17 17 17 17 17	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system probyour house? A Yes. Um, once. Q Okay. Can you do you know when that A Not exactly or not the exact date; um, may years ago two or three years ago. Q And what was the nature of that problem? A I'm not really sure. Q Did you need to hire someone to come out the problem or did you contact someone about the A I contacted Fort Peck Tribes Enterpridepartment.	Page 28 rself? lems at was? be three and fix problem?
1 2 3 3 4 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe. Q Okay. Do you think the water quality has deteriorated since '89? A Yes, it has. Q A lot? A Yes. Q Just gradually or in spurts or? A Yeah, gradually. Q And how so? What's worse about it? A Um, the color, the smell. Q Started out okay and just got worse?	5 1 2 3 3 4 4 5 6 7 7 8 9 10 11 12 13 14 15 16 17 18 17 18	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system probyour house? A Yes. Um, once. Q Okay. Can you do you know when that A Not exactly or not the exact date; um, may years ago two or three years ago. Q And what was the nature of that problem? A I'm not really sure. Q Did you need to hire someone to come out the problem or did you contact someone about the A I contacted Fort Peek Tribes Enterpridepartment. Q And is that the people who take care of the	Page 28 rself? lems at was? be three and fix problem?
1 2 2 3 3 4 4 5 6 6 7 7 8 8 9 10 11 12 13 14 15 16 17 18 19	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe. Q Okay. Do you think the water quality has deteriorated since '89? A Yes, it has. Q A lot? A Yes. Q Just gradually or in spurts or? A Yeah, gradually. Q And how so? What's worse about it? A Um, the color, the smell. Q Started out okay and just got worse?	5 1 2 3 3 4 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system probyour house? A Yes. Um, once. Q Okay. Can you do you know when that A Not exactly or not the exact date; um, may years ago two or three years ago. Q And what was the nature of that problem? A I'm not really sure. Q Did you need to hire someone to come out the problem or did you contact someone about the A I contacted Fort Peck Tribes Enterpridepartment. Q And is that the people who take care of the	Page 28 rself? lems at was? be three and fix problem?
1 2 3 3 4 4 5 6 7 7 8 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe. Q Okay. Do you think the water quality has deteriorated since '89? A Yes, it has. Q A lot? A Yes. Q Just gradually or in spurts or? A Yeah, gradually. Q And how so? What's worse about it? A Um, the color, the smell. Q Started out okay and just got worse? A Yeah.	5 1 2 3 3 4 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system probyour house? A Yes. Um, once. Q Okay. Can you do you know when that A Not exactly or not the exact date; um, may years ago two or three years ago. Q And what was the nature of that problem? A I'm not really sure. Q Did you need to hire someone to come out the problem or did you contact someone about the A I contacted Fort Peck Tribes Enterpridepartment. Q And is that the people who take care of the Peck Housing Authority homes?	Page 28 rself? lems at was? be three and fix problem? ise
1 2 3 3 4 4 5 6 7 7 8 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Page 2 mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe. Q Okay. Do you think the water quality has deteriorated since '89? A Yes, it has. Q A lot? A Yes. Q Just gradually or in spurts or? A Yeah, gradually. Q And how so? What's worse about it? A Um, the color, the smell. Q Started out okay and just got worse? A Yeah. Q When you talked with Ken Hull, did he mentio anything about the oil companies possibly	6 1 22 3 3 4 4 5 5 6 7 7 8 8 9 100 111 122 133 144 155 166 177 18 19 200 21 22 21 22	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system prob your house? A Yes. Um, once. Q Okay. Can you do you know when that A Not exactly or not the exact date; um, may years ago two or three years ago. Q And what was the nature of that problem? A I'm not really sure. Q Did you need to hire someone to come out the problem or did you contact someone about the A I contacted Fort Peck Tribes Enterpredepartment. Q And is that the people who take care of the Peck Housing Authority homes? A Yes.	Page 28 rself? lems at was? be three and fix problem? ise
1 2 3 3 4 4 5 6 7 7 8 8 9 100 111 122 13 14 15 166 17 18 19 200 21 22 22 22 22 22 22 22 22 22 22 22 22	mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe. Q Okay. Do you think the water quality has deteriorated since '89? A Yes, it has. Q A lot? A Yes. Q Just gradually or in spurts or? A Yeah, gradually. Q And how so? What's worse about it? A Um, the color, the smell. Q Started out okay and just got worse? A Yeah. Q When you talked with Ken Hull, did he mentio anything about the oil companies possibly A No.	6 1 22 3 3 4 4 5 5 6 7 7 8 8 9 100 111 122 133 144 155 166 177 18 19 200 21 22 21 22	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system prob your house? A Yes. Um, once. Q Okay. Can you do you know when that A Not exactly or not the exact date; um, may years ago two or three years ago. Q And what was the nature of that problem? A I'm not really sure. Q Did you need to hire someone to come out the problem or did you contact someone about the A I contacted Fort Peck Tribes Enterpredepartment. Q And is that the people who take care of the Peck Housing Authority homes? A Yes. Q And did they send someone out then the	Page 28 rself? lems at was? be three and fix problem? ise
1 2 3 3 4 4 5 6 7 8 9 100 111 122 133 144 15 166 177 188 199 200 21 22 23 24	mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe. Q Okay. Do you think the water quality has deteriorated since '89? A Yes, it has. Q A lot? A Yes. Q Just gradually or in spurts or? A Yeah, gradually. Q And how so? What's worse about it? A Um, the color, the smell. Q Started out okay and just got worse? A Yeah. Q When you talked with Ken Hull, did he mentio anything about the oil companies possibly A No.	6 1 2 3 3 4 4 5 5 6 7 7 8 9 100 111 122 133 144 155 166 177 188 199 200 21 22 23	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system probyour house? A Yes. Um, once. Q Okay. Can you do you know when that A Not exactly or not the exact date; um, may years ago two or three years ago. Q And what was the nature of that problem? A I'm not really sure. Q Did you need to hire someone to come out the problem or did you contact someone about the A I contacted Fort Peck Tribes Enterpredepartment. Q And is that the people who take care of the Peck Housing Authority homes? A Yes. Q And did they send someone out then to something?	Page 28 rself? lems at was? be three and fix problem? ise
1 2 3 3 4 4 5 6 7 8 9 100 111 122 133 144 15 166 177 188 199 200 21 22 23 24	mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe. Q Okay. Do you think the water quality has deteriorated since '89? A Yes, it has. Q A lot? A Yes. Q Just gradually or in spurts or? A Yeah, gradually. Q And how so? What's worse about it? A Um, the color, the smell. Q Started out okay and just got worse? A Yeah. Q When you talked with Ken Hull, did he mentio anything about the oil companies possibly A No. Q So it sounds like the USGS report came out of the blue for the most part?	6 1 2 3 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 24 24 24 24 24	from the oil company folk? A For a short time before. Q And you had made those arrangements you a Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system probyour house? A Yes. Um, once. Q Okay. Can you do you know when that a Not exactly or not the exact date; um, may years ago two or three years ago. Q And what was the nature of that problem? A I'm not really sure. Q Did you need to hire someone to come out the problem or did you contact someone about the A I contacted Fort Peck Tribes Enterpredepartment. Q And is that the people who take care of the Peck Housing Authority homes? A Yes. Q And did they send someone out then to something? A Yes, they did.	Page 28 rself? lems at was? be three and fix problem? ise
1 2 3 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26	mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe. Q Okay. Do you think the water quality has deteriorated since '89? A Yes, it has. Q A lot? A Yes. Q Just gradually or in spurts or? A Yeah, gradually. Q And how so? What's worse about it? A Um, the color, the smell. Q Started out okay and just got worse? A Yeah. Q When you talked with Ken Hull, did he mentio anything about the oil companies possibly A No. Q So it sounds like the USGS report came out of the blue for the most part?	5 1 2 3 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	from the oil company folk? A For a short time before. Q And you had made those arrangements you a Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system probyour house? A Yes. Um, once. Q Okay. Can you do you know when that a Not exactly or not the exact date; um, may years ago two or three years ago. Q And what was the nature of that problem? A I'm not really sure. Q Did you need to hire someone to come out the problem or did you contact someone about the A I contacted Fort Peck Tribes Enterpridepartment. Q And is that the people who take care of the Peck Housing Authority homes? A Yes. Q And did they send someone out then to something? A Yes, they did. Q Do you know who that was?	Page 28 rself? lems at was? be three and fix problem? ise
1 2 3 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27	mentioned that to you? A No. Q Had you ever heard about any previous lawsuits that anybody had brought against the oil companies? A In our area? Q Unhunh. (Indicates yes.) A No. Q Any other areas? A No, just on TV maybe. Q Okay. Do you think the water quality has deteriorated since '89? A Yes, it has. Q A lot? A Yes. Q Just gradually or in spurts or? A Yeah, gradually. Q And how so? What's worse about it? A Um, the color, the smell. Q Started out okay and just got worse? A Yeah. Q When you talked with Ken Hull, did he mentio anything about the oil companies possibly A No. Q So it sounds like the USGS report came out of the blue for the most part? A For me, yeah.	5 1 2 3 3 4 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 26	from the oil company folk? A For a short time before. Q And you had made those arrangements you A Yes. Q And had paid for that water yourself? A Yes. Q Have you ever had any septic system prob your house? A Yes. Um, once. Q Okay. Can you do you know when that A Not exactly or not the exact date; um, may years ago two or three years ago. Q And what was the nature of that problem? A I'm not really sure. Q Did you need to hire someone to come out the problem or did you contact someone about the A I contacted Fort Peck Tribes Enterpredepartment. Q And is that the people who take care of the Peck Housing Authority homes? A Yes. Q And did they send someone out then to something? A Yes, they did. Q Do you know who that was? A No, I don't. Q Do you know what they did?	Page 28 rself? lems at was? be three and fix problem? ise

	Page 29		Page 31
1	Q Whatever they did, did it work?	1	A Kind of like when those oil truckers pass our
2	A ,Yeah.	2	house, and they have that smell. That's what it smells
3	Q The well that is currently out there, the one that	3	like.
4	you now use, you said you use it for showering and for	4	Q Do you have problems with rust stains and those
5	washing dishes and, I assume, for toilets and those things?	5	things in your home?
6	A Yeah.	6	A Yes.
7	Q But you don't drink it?	7	Q Have you ever talked to any of the employees or
8	A No.	8	any of the personnel from Murphy about your water?
9	Q When was the last time that you drank water from	9	
10	those wells? or from your well?	10	, , , , , , , , , , , , , , , , , , , ,
11	A Probably '96, '97 '96 somewhere around	11	you aware of their presence up there?
1	there. I don't know exact.	12	
13	Q If I were to tell you that, in your answers to	13	(
	interrogatories, you said that you stopped drinking the	14	that has ever worked for them?
	water in 1991 or '92, would that surprise you? Is that	15	· · · · · · · · · · · · · · · · · · ·
1	possible?	16	
17	A I may have said that. Um, I don't know. I'm not		this question's already been asked. Did you ever visit
	really good on dates and		with anyone from the Indian Health Service about your
19	Q Okay, but it's been some period of years		water?
20	A Yes.	20	•
21	Q since you've drank that water?	21	· ·
22	A Yes, cause we used to haul it from town before	22	,
1	that. So, yeah, I guess it would have been longer than '96	23	
	or '95.	24	
25	Q When the USGS was out and they did their on-the-	25	
•	ground sampling, did you have a chance to talk to any of	26	water quality?
1	those people? to visit with Joanna Thamke?	27	
28	A No.	28	Q Have you ever talked to anyone else at the Fort
1	Page 30		Page 32
1	Page 30 Q Did you visit with any of the other people who		Page 32 Peck Tribes at all about your water quality?
- 1	_		Peck Tribes at all about your water quality?
- 1	Q Did you visit with any of the other people who	1 2	Peck Tribes at all about your water quality?
2 3	Q Did you visit with any of the other people who were out there doing the work?	1 2 3	Peck Tribes at all about your water quality? A No.
2 3 4	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just	1 2 3	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN:
2 3 4	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they	1 2 3 4 5	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN:
2 3 4 5 6	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work.	1 2 3 4 5 6	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or?
2 3 4 5 6 7	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we	1 2 3 4 5 6 7	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or?
2 3 4 5 6 7	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask	1 2 3 4 5 6 7	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something.
2 3 4 5 6 7 8	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that?	1 2 3 4 5 6 7 8	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something.
2 3 4 5 6 7 8 9 10	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that? A No, I didn't. Q You weren't curious? A' Not really. Just figured it was something maybe	1 2 3 4 5 6 7 8 9 10	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something. Q With respect to any of the analyses, water analyses, that you I know you don't have much knowledge or you haven't done much interpretation of them, but has
2 3 4 5 6 7 8 9 10	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that? A No, I didn't. Q You weren't curious? A' Not really. Just figured it was something maybe through the Housing Authority or something.	1 2 3 4 5 6 7 8 9 10	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something. Q With respect to any of the analyses, water analyses, that you I know you don't have much knowledge
2 3 4 5 6 7 8 9 10 11 12 13	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that? A No, I didn't. Q You weren't curious? A' Not really. Just figured it was something maybe through the Housing Authority or something. Q Did she identify herself as with the USGS?	1 2 3 4 5 6 7 8 9 10 11 12	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something. Q With respect to any of the analyses, water analyses, that you I know you don't have much knowledge or you haven't done much interpretation of them, but has
2 3 4 5 6 7 8 9 10 11 12 13 14	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that? A No, I didn't. Q You weren't curious? A' Not really. Just figured it was something maybe through the Housing Authority or something. Q Did she identify herself as with the USGS? A Yes.	1 2 3 4 5 6 7 8 9 10 11 12 13 14	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something. Q With respect to any of the analyses, water analyses, that you I know you don't have much knowledge or you haven't done much interpretation of them, but has anyone ever told you you have any fecal coliform problem with your drinking water? A No.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that? A No, I didn't. Q You weren't curious? A' Not really. Just figured it was something maybe through the Housing Authority or something. Q Did she identify herself as with the USGS? A Yes. Q Um, thinking back to the water and the taste of	1 2 3 4 5 6 7 8 9 10 11 12 13 14	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something. Q With respect to any of the analyses, water analyses, that you I know you don't have much knowledge or you haven't done much interpretation of them, but has anyone ever told you you have any feeal coliform problem with your drinking water?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that? A No, I didn't. Q You weren't curious? A' Not really. Just figured it was something maybe through the Housing Authority or something. Q Did she identify herself as with the USGS? A Yes. Q Um, thinking back to the water and the taste of the water. I know you said it doesn't taste good, but what	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something. Q With respect to any of the analyses, water analyses, that you I know you don't have much knowledge or you haven't done much interpretation of them, but has anyone ever told you you have any fecal coliform problem with your drinking water? A No.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that? A No, I didn't. Q You weren't curious? A' Not really. Just figured it was something maybe through the Housing Authority or something. Q Did she identify herself as with the USGS? A Yes. Q Um, thinking back to the water and the taste of the water. I know you said it doesn't taste good, but what can you identify what the taste is like?	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something. Q With respect to any of the analyses, water analyses, that you I know you don't have much knowledge or you haven't done much interpretation of them, but has anyone ever told you you have any feeal coliform problem with your drinking water? A No. MR. DOLAN: Okay, nothing further. (THERE BEING NO FURTHER QUESTIONS, THIS DEPOSITION WAS THEN
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that? A No, I didn't. Q You weren't curious? A' Not really. Just figured it was something maybe through the Housing Authority or something. Q Did she identify herself as with the USGS? A Yes. Q Um, thinking back to the water and the taste of the water. I know you said it doesn't taste good, but what can you identify what the taste is like? A Kind of salty. Um, I don't know. The smell is	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something. Q With respect to any of the analyses, water analyses, that you I know you don't have much knowledge or you haven't done much interpretation of them, but has anyone ever told you you have any feeal coliform problem with your drinking water? A No. MR. DOLAN: Okay, nothing further. (THERE BEING NO FURTHER QUESTIONS, THIS DEPOSITION WAS THEN CONCLUDED AT 2:10 P.M.)
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that? A No, I didn't. Q You weren't curious? A' Not really. Just figured it was something maybe through the Housing Authority or something. Q Did she identify herself as with the USGS? A Yes. Q Um, thinking back to the water and the taste of the water. I know you said it doesn't taste good, but what can you identify what the taste is like? A Kind of salty. Um, I don't know. The smell is awful.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something. Q With respect to any of the analyses, water analyses, that you I know you don't have much knowledge or you haven't done much interpretation of them, but has anyone ever told you you have any feeal coliform problem with your drinking water? A No. MR. DOLAN: Okay, nothing further. (THERE BEING NO FURTHER QUESTIONS, THIS DEPOSITION WAS THEN CONCLUDED AT 2:10 P.M.)
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that? A No, I didn't. Q You weren't curious? A' Not really. Just figured it was something maybe through the Housing Authority or something. Q Did she identify herself as with the USGS? A Yes. Q Um, thinking back to the water and the taste of the water. I know you said it doesn't taste good, but what can you identify what the taste is like? A Kind of salty. Um, I don't know. The smell is awful. Q Is the smell the same today as it was	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something. Q With respect to any of the analyses, water analyses, that you I know you don't have much knowledge or you haven't done much interpretation of them, but has anyone ever told you you have any fecal coliform problem with your drinking water? A No. MR. DOLAN: Okay, nothing further. (THERE BEING NO FURTHER QUESTIONS, THIS DEPOSITION WAS THEN CONCLUDED AT 2:10 P.M.)
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that? A No, I didn't. Q You weren't curious? A' Not really. Just figured it was something maybe through the Housing Authority or something. Q Did she identify herself as with the USGS? A Yes. Q Um, thinking back to the water and the taste of the water. I know you said it doesn't taste good, but what can you identify what the taste is like? A Kind of salty. Um, I don't know. The smell is awful. Q Is the smell the same today as it was A Smells stronger.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something. Q With respect to any of the analyses, water analyses, that you I know you don't have much knowledge or you haven't done much interpretation of them, but has anyone ever told you you have any fecal coliform problem with your drinking water? A No. MR. DOLAN: Okay, nothing further. (THERE BEING NO FURTHER QUESTIONS, THIS DEPOSITION WAS THEN CONCLUDED AT 2:10 P.M.)
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that? A No, I didn't. Q You weren't curious? A' Not really. Just figured it was something maybe through the Housing Authority or something. Q Did she identify herself as with the USGS? A Yes. Q Um, thinking back to the water and the taste of the water. I know you said it doesn't taste good, but what can you identify what the taste is like? A Kind of salty. Um, I don't know. The smell is awful. Q Is the smell the same today as it was A Smells stronger. Q Stronger?	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something. Q With respect to any of the analyses, water analyses, that you I know you don't have much knowledge or you haven't done much interpretation of them, but has anyone ever told you you have any feeal coliform problem with your drinking water? A No. MR. DOLAN: Okay, nothing further. (THERE BEING NO FURTHER QUESTIONS, THIS DEPOSITION WAS THEN CONCLUDED AT 2:10 P.M.)
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that? A No, I didn't. Q You weren't curious? A' Not really. Just figured it was something maybe through the Housing Authority or something. Q Did she identify herself as with the USGS? A Yes. Q Um, thinking back to the water and the taste of the water. I know you said it doesn't taste good, but what can you identify what the taste is like? A Kind of salty. Um, I don't know. The smell is awful. Q Is the smell the same today as it was A Smells stronger. Q Stronger? A Unhunh. (Indicates yes.)	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something. Q With respect to any of the analyses, water analyses, that you I know you don't have much knowledge or you haven't done much interpretation of them, but has anyone ever told you you have any feeal coliform problem with your drinking water? A No. MR. DOLAN: Okay, nothing further. (THERE BEING NO FURTHER QUESTIONS, THIS DEPOSITION WAS THEN CONCLUDED AT 2:10 P.M.)
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that? A No, I didn't. Q You weren't curious? A' Not really. Just figured it was something maybe through the Housing Authority or something. Q Did she identify herself as with the USGS? A Yes. Q Um, thinking back to the water and the taste of the water. I know you said it doesn't taste good, but what can you identify what the taste is like? A Kind of salty. Um, I don't know. The smell is awful. Q Is the smell the same today as it was A Smells stronger. Q Stronger? A Unhunh. (Indicates yes.) Q What is it does it have a distinct an odor	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something. Q With respect to any of the analyses, water analyses, that you I know you don't have much knowledge or you haven't done much interpretation of them, but has anyone ever told you you have any feeal coliform problem with your drinking water? A No. MR. DOLAN: Okay, nothing further. (THERE BEING NO FURTHER QUESTIONS, THIS DEPOSITION WAS THEN CONCLUDED AT 2:10 P.M.)
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that? A No, I didn't. Q You weren't curious? A' Not really. Just figured it was something maybe through the Housing Authority or something. Q Did she identify herself as with the USGS? A Yes. Q Um, thinking back to the water and the taste of the water. I know you said it doesn't taste good, but what can you identify what the taste is like? A Kind of salty. Um, I don't know. The smell is awful. Q Is the smell the same today as it was A Smells stronger. Q Stronger? A Unhunh. (Indicates yes.) Q What is it does it have a distinct an odor that's like other odors. I mean, is it a sulphury kind of	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something. Q With respect to any of the analyses, water analyses, that you I know you don't have much knowledge or you haven't done much interpretation of them, but has anyone ever told you you have any fecal coliform problem with your drinking water? A No. MR. DOLAN: Okay, nothing further. (THERE BEING NO FURTHER QUESTIONS, THIS DEPOSITION WAS THEN CONCLUDED AT 2:10 P.M.)
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that? A No, I didn't. Q You weren't curious? A' Not really. Just figured it was something maybe through the Housing Authority or something. Q Did she identify herself as with the USGS? A Yes. Q Um, thinking back to the water and the taste of the water. I know you said it doesn't taste good, but what can you identify what the taste is like? A Kind of salty. Um, I don't know. The smell is awful. Q Is the smell the same today as it was A Smells stronger. Q Stronger? A Unhunh. (Indicates yes.) Q What is it does it have a distinct an odor that's like other odors. I mean, is it a sulphury kind of	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something. Q With respect to any of the analyses, water analyses, that you I know you don't have much knowledge or you haven't done much interpretation of them, but has anyone ever told you you have any fecal coliform problem with your drinking water? A No. MR. DOLAN: Okay, nothing further. (THERE BEING NO FURTHER QUESTIONS, THIS DEPOSITION WAS THEN CONCLUDED AT 2:10 P.M.)
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that? A No, I didn't. Q You weren't curious? A' Not really. Just figured it was something maybe through the Housing Authority or something. Q Did she identify herself as with the USGS? A Yes. Q Um, thinking back to the water and the taste of the water. I know you said it doesn't taste good, but what can you identify what the taste is like? A Kind of salty. Um, I don't know. The smell is awful. Q Is the smell the same today as it was A Smells stronger. Q Stronger? A Unhunh. (Indicates yes.) Q What is it does it have a distinct an odor that's like other odors. I mean, is it a sulphury kind of A Like sulphur.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something. Q With respect to any of the analyses, water analyses, that you I know you don't have much knowledge or you haven't done much interpretation of them, but has anyone ever told you you have any fecal coliform problem with your drinking water? A No. MR. DOLAN: Okay, nothing further. (THERE BEING NO FURTHER QUESTIONS, THIS DEPOSITION WAS THEN CONCLUDED AT 2:10 P.M.)
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26	Q Did you visit with any of the other people who were out there doing the work? A No. I was working at the time, and she just showed up one evening after work; and then I assumed they came during the day while I was gone at work. Q Thinking back to when she just came and said we want to take some water samples from your home, did you ask her, well, why do you want to do that? A No, I didn't. Q You weren't curious? A' Not really. Just figured it was something maybe through the Housing Authority or something. Q Did she identify herself as with the USGS? A Yes. Q Um, thinking back to the water and the taste of the water. I know you said it doesn't taste good, but what can you identify what the taste is like? A Kind of salty. Um, I don't know. The smell is awful. Q Is the smell the same today as it was A Smells stronger. Q Stronger? A Unhunh. (Indicates yes.) Q What is it does it have a distinct an odor that's like other odors. I mean, is it a sulphury kind of	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26	Peck Tribes at all about your water quality? A No. MR. WEBSTER: 1 don't think I have anything else. EXAMINATION BY MR. DOLAN: Q Denise, I just have one question. What was the nature of the septic problems, a flushing problem or? A Flushing. I think there was a something plugged it or something. Q With respect to any of the analyses, water analyses, that you I know you don't have much knowledge or you haven't done much interpretation of them, but has anyone ever told you you have any fecal coliform problem with your drinking water? A No. MR. DOLAN: Okay, nothing further. (THERE BEING NO FURTHER QUESTIONS, THIS DEPOSITION WAS THEN CONCLUDED AT 2:10 P.M.)

[]

	sposition of Denise Grainger Co	nacr	15	CIL		Cause #C	A 88-108-BI	LG-JDS
	Page							Page 35
1	CERTIFICATE		1		CORREC	TIONS TO DEPOSITION		
2	STATE OF MONTANA : 85.		2					
3	COUNTY OF ROOSEVELT)	i	3	The the follow	Deponent, DE ving changes i	NISE GRAINGER, states sho in testimony as originally swo	: wishes to make m:	
4	I, IOANN D HESER, Official Court Reporter, Fifteenth		4	PAGE	LINE	SHOULD READ	REASON	
5	Judicial District, and a Notary Public duly qualified in and for		5					_
6	the State of Montana, hereby certify there came before me the		6					-
7	deponent herein, namely <u>DENISE GRAINGER</u> , who was by me dul	y	7					-
8	swom to testify to the truth and nothing but the truth		8					-
9	concerning the matters in this cause.		9					•
10	_	l i	0					-
11		1	1					-
12		1	2					-
13		1	3					-
14		1	4					-
15	• • • • • • • • • • • • • • • • • • • •	1	5					-
	any party, witness, or counsel and have no financial or other	1	6					•
		1	7					-
17		l	8			·		-
18]1	9		_			-
19	•	2	0					
20		2	1		D	ENISE GRAINGER		
21	NOTARY PUBLIC		2		-	J		
22			.3					
23			4					
24		1	5					
25								
26		1	6					
27			7					
28		2	8					
\vdash	Den	24	-					
١.	Page Page CERTIFICATE	5 34						
1,	DEPONENT'S CERTIFICATE							
2	,	the						
3								
4		1						
5	•							
6								
7	No changes or corrections made.							
8								
9	DENISE GRAINGER	Ī						
10	Subscribed and sworn to before me this day of							
11	, 2001.							
12								
13	NOTARY PUBLIC for the State of Montana							
14	Residing at Montana							
15								
16								
17								
18								
19								
20								
21								
22								
23								
24								
25								
26								
27								
120		1						

				V 98-108-BLG-JDS
	6580[1] 2:5	arrangements [1] 28:3	care [1] 28:19	CORP [1] 1:16
	 	aside[1] 23:18	CARY [1] 1:5	COTTECT [10] 12:22,23 15:2
'83 [4] 9:24 10:8,11,13		assistant [1] 7:22	caused [1] 27:22	15:3 20:21 21:3 22:11,12
189 [6] 10:5,8,11,14 14:4	7/2/2004 [1] 33:22	assume [1] 29:5	causing [2] 16:19 25:7	33:13 34:4
26:11	7188[1] 2:22	assumed [1] 30:4	Center[1] 2:21	corrections [6] 3:11 34:5,5,6,7 35:1
'92 [1] 29:15		attached [1] 13:9	CERTIFICATE [4] 3:9	corrode [2] 17:11,13
'95 [1] 29:24	-8-	attorney [6] 2:2,7,11,15	3:10 33:1 34:1	costly [1] 17:5
'96[3] 29:11,11,23	849 [1] 2:17	2:19 8:13	certify [4] 33:6,10,15	counsel [2] 4:4 33:16
'97 [2] 11:28 29:11	(1)	Attorney's [1] 4:7	34:2	COUNTY [1] 33:3
'98 [1] 11:28	-9-	aunt's [1] 15:16	chance [1] 29:26	couple [5] 7:2 11:10,28
	90's [2] 19:27 25:26	Authority [7] 9:6,8,9 10:1 22:16 28:20 30:12	changes [3] 34:6,7 35:3 chemical [2] 3:20 21:17	17:8 23:7
-1-	98-108-BLG-JDS _[1]	awarc [10] 6:23,24,25	children [3] 7:28 8:4	courses [2] 7:18,19
11th [1] 4:2	1:9	18:17 21:24 24:1,9,16	27:3	Court[11] 1:2 3:9 4:5 5:6
1200[1] 2:21		25:2 31:11	chronology (1) 20:28	8:28 12:2.14,27 13:5 33:4
15th [1] 33:19	-A-	away [3] 16:2 17:4 18:9	claim [2] 16:21,27	33:10
1900[1] 2:13	ABILITY [1] 33:14	awful [2] 11:15 30:19	coliform[1] 32:12	Cover[1] 3:20
1966 [2] 7:10,13	able [2] 11:9 17:27		college [4] 7:16,16,17,19	Cross [1] 1:14
1983 [4] 8:17 9:20,22	above [1] 33:17	-B-	color[4] 11:15,17 21:23	Cross-Defendants [1]
10:5	According [1] 6:27	B _[1] 2:12	26:18	CROWLEY [1] 2:9
1989 [7] 10:4,26 12:22	acres [1] 9:9	background [4] 7:6,15	color's [1] 15:1	curious [1] 30:10
17:21,22 22:22 27:18	activities [1] 25:7	7:21 22:1	coming [2] 20:25 25:16	CV [1] 1:9
1991 [1] 29:15	activity [1] 25:2	bad [7] 6:7 10:15 14:27	Comm [1] 33:22	CV [i] 1:9
1998 [8] 12:1 13:14,17	actual [1] 15:5	14:27 19:26 23:16 25:16	Commission [1] 34:14	-D-
14:3,5,6 18:19,22 1:14 [2] 1:23 4:2	Adam [1] 27:6	bags [1] 19:18	community [1] 7:16	
1:17[1] 5:20	Administrative [2]	BALDWIN [1] 2:4	companies [3] 24:6 26:4	D [5] 1:10 3:19 4:5 33:4
1:19 [1] 5:21	7:20,22	basis [1] 19:17	26:22	33:20 damage [1] 17:9
1.17[1] 3.21	Affairs [1] 3:15	bathing [3] 6:6,6 10:22	company [6] 2:7,11,15	damages [10] 16:21,23
-2-	affixed [1] 33:18	become [1] 18:17	23:27,28 28:1	16:24,25,25,25,27 17:2
	again [5] 8:26 17:19	began [1] 27:28	compare [1] 5:4	17:24,25
200 [2] 1:24 4:3	18:26 21:4,26	begin [1] 11:20	completely [1] 4:25	date[1] 28:11
2001 [4] 1:23 4:3 33:19 34:11	against [1] 26:4	BELLINGHAM [1]	concern [2] 20:25 22:28	dates [1] 29:18
24th [1] 2:18	ages [2] 8:6 27:3	2:13 belonged [1] 8:21	concerning [1] 33:9	death [1] 8:23
2559[1] 2:14	ago [10] 6:16 8:24 11:28	benefit [1] 23:17	CONCLUDED [1]	Dcb [1] 31:25
2:10 [1] 32:17	19:1 20:9,9 25:21 28:12 28:12 31:23		32:17	decide [3] 10:26 20:8,10
2.10(., 52	ahead [1] 24:19	benzene [4] 6:2,3,23,25 BEST [1] 33:14	Conditioning [1] 23:9	deeded [1] 8:23
-3-		BESTWAY [1] 1:16	confers [1] 8:13	deep [1] 12:12
315[1] 2:18	al [2] 1:5.8 alleged [2] 16:14,22	better[1] 19:28	considered [1] 15:11	Defendants [2] 1:9.18
31st _[2] 2:9,22	alleviate [1] 23:15	between [2] 10:11,13	constructed [2] 22:21	Defendants/[1] 1:13
32 _[1] 3:8	alleviating [1] 23:18	Billings [5] 1:3 2:10,14	22:23	degree [1] 7:17
33 [1] 3:9	alternative [2] 15:11,12	2:18,23	consult [1] 19:6	Denisc [19] 1:15 3:2,14
34 [1] 3:10	always [1] 11:5	blue [1] 26:25	consumption [2] 11:12	3:16,17,20 4:1,13,17,19
35 [2] 2:5 3:11	AMARCO[1] 1:16	born [1] 7:7	14:8	22:9 23:25 27:1 32:5 33:7 34:2,9 35:3,21
36 [1] 8:16	analyses [2] 32:9,10	boss [1] 6:1	contact [1] 28:16	department [2] 7:25
טווט נון טכע	analysis [5] 3:20 12:18	bottled [3] 15:14 27:25	contacted [1] 28:17	28:18
-4-	13:3,13,13	27:28	contained [1] 33:12	deponent[13] 3:1 5:25
	answer [2] 4:24,28	Box [3] 2:5,14,22	contaminated [6] 14:7	8:13 9:5 10:12 11:9 12:6
4-50 [1] 1:20	answers [1] 29:13	Bozeman [1] 2:6	14:9 21:15,16,25,27	12:18 13:3,10 31:24 33:7 35:3
401 [1] 2:22 490 [1] 2:9	anticipate [2] 22:13,18	break [1] 5:22	contaminating [1]	DEPONENT'S [2]
דיסענון 4:5	anyway (1) 11:11	bring [2] 5:12,14	contamination [8]	3:10 34:1
-5-	apart [2] 11:1,1	brother [1] 8:22	11:22 14:10 15:19 16:15	deposition [21] 1:13
	appearances [2] 2:1 4:4	brought [1] 26:4	16:22 18:18 24:9,11	3:11,14 4:1,19,21,28 5:3
59101 [1] 2:10	approach [1] 20:20	BROWN [1] 2:17	continue [1] 23:12	5:6,11.20 8:28 12:2,14,27
59103 [2] 2:14,23	approached [4] 20:13	Building [1] 2:4	conversation[1] 25:17	13:5 32:16 33:11 34:4,5 35:1
59103-0849 [1] 2:18	20:14,19,19	built [2] 10:2,28	conversations [1] 21:12	describe [1] 5:24
59771-6580 [1] 2:6	area [s] 7:13,19 25:3 26:5	Burcau [1] 3:15	cooking [3] 15:15,17	deteriorated [1] 26:11
<u> </u>	31:10		18:25	development [2] 15:22
-6-	areas[1] 26:8	-C-	copy[1] 6:11	16:9
	<u> </u>	<u> </u>	i	<u> </u>

	·			CV 98-108-BLG-JDS
Dianc (1) 4:7	eventually [1] 22:19	foregoing [1] 34:3	herself [1] 30:13	
die [2] 18:7.9	cvidence [1] 5:4	form [1] 34:5	high [2] 7:16 9:16	
died [1] 8:24	exact _[2] 28:11 29:12	former[1] 6:1	hire [1] 28:15	J _[1] 2:3
DIETRICH [1] 2:9	exactly [3] 6:14 20:23	Fort [7] 9:6,8,9 22:15	home [11] 9:6 10:2.28	Jack [1] 1:10
director [3] 5:26 6:9,10	28:11 examination[11] 3:4,5	28:17,19 31:28	15:4 19:24 22:10,14,19 22:21 30:7 31:5	Jay [1] 27:8
discharge [1] 19:19	3:6.7,8 4:14,16 22:8 23:24	found [3] 6:2,4 7:1 four [1] 13:8	homes [1] 28:20	Joanna [2] 3:20 29:27
discharged [1] 19:20	26:28 32:4	fulfilled [1] 22:19	homesite [3] 8:27 9:6,9	John [3] 1:20 2:16 4:17
discussed [3] 6:3 20:12	except[1] 34:4	full [1] 34:4	horses [2] 10:23 15:4	join [3] 20:8,10.13
discussion [1] 22:25	Excuse [1] 13:16		hot [2] 17:5,15	joining [1] 20:27
dishes [3] 14:19,23 29:5	Exhibit [17] 5:7,8 8:9,10	-G-	house [2] 28:8 31:2	Judge [1] 1:10
distinct [1] 30:24	8:12.16 9:1,3 12:3,5,15		household [1] 6:21	Judicial [1] 33:5
District [3] 1:2,3 33:5	12:17,27 13:2,5,7,11 EXHIBITS [1] 3:13	G [1] 1:5 GALLIK [1] 2:4	households [1] 6:21	June [3] 1:23 4:2 33:19
DIVISION (11 1:3	existed [1] 16:12	Gas [1] 24:3	houses [1] 6:4	
divorced [1] 7:27	cxp[i] 33:22	gcez [1] 11:3	Housing [8] 3:15 9:6,8,9	<u>-K-</u>
DNRC[1] 3:16	expires [1] 34:14	Gerald [1] 2:12	10:1 22:15 28:20 30:12	Ken [7] 5:27 21:8,15 22:6
document [3] 5:23,24	explaining [1] 13:12	Gerry [2] 2:12 23:25	Hull [8] 5:27 21:8,13,16	22:7 26:21 31:21
13:8	Exploration [2] 2:7 27:2	gift (1) 8:23	21:27 24:12 26:21 31:21	Ketterer [1] 2:4
documents [4] 5:12,14	extended [1] 27:22	GOETZ [1] 2:4	hydrocarbon [1] 15:19	kids [1] 6:7
5:16 13:9	extent [1] 11:13	gone [1] 30:5	Hydrocarbons [3] 2:19 22:10 23:21	kind [4] 19:13 30:18,25
doesn't[1] 30:16		good [5] 11:3,5 15:2	22.10 23.21	kncw [1] 18:23
Dolan [7] 2:3,4 3:8 5:18 11:7 32:4,15	-F-	29:18 30:16	-J-	knowledge [1] 32:10
done [4] 5:1,27 27:21	facility [1] 19:20	Grace [1] 23:20	idca _[2] 16:14,18	Kohl [1] 27:10
32:11	Fagan [5] 2:12 3:6 23:24	gradually [2] 26:15,16	IDENTIFICATION	27.10
DORSEY [1] 2:21	23:25 26:27	Grainger [15] 1:15 3:2	[6] 5:7 9:1 12:3,15,28	-L-
drank [2] 29:9,21	fairly[1] 31:22	3:14,16,18,19,20 4:2,13	13:6	L _[1] 2:20
Drawer [1] 2:17	familiar [1] 16:11	27:6 33:7 34:2,9 35:3,21	identify [7] 8:9 9:3 12:5	land [1] 16:2
drill [1] 10:26	familiarity [1] 16:8	Grainger's [1] 9:27 Grand [1] 2:5	12:17 13:2 30:13,17	last [2] 18:11 29:9
drilled [2] 9:28 12:25	family [2] 15:21 20:15	Grandchamp [1] 27:8	in-home (1) 16:28	LAW [1] 2:17
drink [1] 29:7	far [5] 11:1,1,4 16:23	grandfather[1] 16:1	INC [2] 1:8,12	lawn [1] 17:26
drinking [8] 6:6 10:22	27:24	grandmother[1] 8:21	INC. [2] 1:16,17	lawsuit [4] 5:17 20:8,10
15:14,15,16 18:25 29:14 32:13	Farther [1] 24:24	grass [1] 17:26	INDEX [1] 3:1	20:27
duly [3] 4:14 33:5,7	father [2] 8:22,24	ground [1] 29:26	Indian [9] 3:15,17 5:28 7:24 12:19 13:23 21:9	lawsuits [1] 26:3
during [4] 5:22 10:7 20:2	father's [1] 9:26	GROUP [1] 1:17	22:2 31:18	lawycr[1] 4:17
30:5	1.2200.0 [5] . 7.5,7,10	grow [4] 17:26 18:3,3,4	indicate [3] 13:15,18	lease [9] 3:15 8:27 9:5,7
	Faye [1] 4:7	guess [5] 8:23 14:13 16:5	21:6	22:11,12,15,18 27:13
-E-	fecal [1] 32:12 few [2] 7:6 27:2	19:25 29:23		leases [1] 9:8
E _[1] 2:8	field [5] 11:4 15:22 16:6		indicates [5] 8:13 17:23 26:6 30:23 31:24	least [1] 18:12 left [1] 16:2
Eagle [1] 16:1	16:9 25:6	-H-	Inn [2] 1:24 4:3	length [1] 11:4
early [5] 19:2,5,27 20:3	fields [3] 16:4,4 20:26	half [3] 8:25,25 9:8	install [1] 23:2	letter [7] 3:20 5:25 6:8
25:26	Fifteenth [1] 33:4	hand [4] 5:27 15:27 23:6	installed [2] 19:8,10	6:11,13 13:9,12
cast [5] 1:24 4:3 16:6,9	figured [1] 30:11	33:18-	interest [5] 8:19,26 15:22	level [1] 21:20
19:25	fill [2] 15:3,5	HANSON [1] 2:9	15:23 33:17	LINE [1] 35:4
eats [1] 17:4	film [3] 15:5,6,8	hard [1] 19:14	interested (1) 20:27	listed [1] 34:5
educational [1] 7:15	financial [1] 33:16	HAUGHEY [1] 2:9	interests (1) 16:6	live [4] 8:2,10 27:11,13
eight [1] 18:28	FIRM [1] 2:17	haul [2] 15:16 29:22	interpret [2] 13:20,22	lived [3] 7:13 8:15 23:7
eighty [1] 9:12	first [10] 2:21 4:14 7:6	hcalth [13] 3:17 5:26,28 6:8,9 7:24,25 12:19 13:23	interpretation [2] 13:28	
Eighty-three [1] 9:14	18:17,21 19:26 22:5 24:8	16:25 21:9 22:2 31:18	32:11	location [2] 8:16 16:11
either [3] 16:24 23:20 24:5	24:21 25:11	heard [5] 23:26,28 24:21	interrogatories [1]	log [2] 3:16 12:6
employees [2] 24:5 31:7	five[1] 8:24	25:4 26:3	29:14 INTERRUPTED [1]	longer [2] 27:14 29:23
enrolled [1] 7:11	flushing [2] 32:6,7	heater [1] 17:5	5:20	LONGO [1] 2:13
Enterprise [1] 28:17	folk[1] 28:1	heaters [1] 17:16	Interstate [1] 2:21	look [1] 6:12
entitled [1] 33:17	follow-up [1] 27:2	help [1] 23:15	introduction [1] 4:9	looks [3] 14:25,28 15:6
Esq [6] 2:3,8,12,12,16,20	following [2] 4:9 35:3	hereby [2] 33:6 34:2	issucs [1] 22:26	Lustre [2] 16:4,4
ct [2] 1:5,8	follows [1] 4:15	herein [2] 33:7,12	it'll [1] 4:28	
evening [1] 30:4	football [1] 11:4	hereinbefore [1] 4:4		-M-
		hereunto [1] 33:18		M [1] 12:10

M36 [p. p. 316 p. 22 p. 19.20.20 -N-				Cause #C	76 88-108-BFG-1D2
	M36 [14] 3:16 9:19,20,20		35:3	possibly [1] 26:22	referring[1] 17:20
MA38 (no) 9.17.27 (10.5.1)		-N-		potential [1] 24:14	
10.13.3.2 11.2.6.14:3 name (n. 417.8.11.2.8 notice (n. 18.11.2.3 notice (n.		N [1] 3:20		pour[1] 15:6	related [1] 33:15
MA39 pp. 10-79 Mainage 124 4-3 manor pri 1318 manner pri 3315 map pri 8-14 Marathon pri 3315 map pri 8-14 Marathon pri 341-82			own [3] 10:28 22:12,19	prepared [1] 6:13	
Madison [1] 31:25				presence [1] 31:11	
Maingl 1244-3 major 10 H18 manner 10 3315 maner 10 3315 maner 10 3315 marked pt 184 part 12 2:15 darattation 10 2:11 23:26 part 22-44 married pt 7:26 10:27 MATER pt 2:15 matters pt 5:16 319 matters pt 5:16 320 matters pt 5:16		•		present [2] 4:8 22:10	remember [13] 5:27 6:13
major (p. 13-18 map (p. 13-14 map (p. 14-14 map (p. 13-14		, -		prctty [1] 6:9	6:14,15,17,28 10:25 11:27
manner			Owns [1] 8:25		
map pil 8:14 Marathon pil 2:11 23:26 13:27 marked pil 58:88.9.2 marked pil 58:88.9 marked pil 58:82.2 marked pil 58:88.9 marked pil 58:88.9 marked pil 58:82.2 marked pil 58:82					
Martelling 20:173.8 Januarised proceeding 28:15 Normont (pl. 23-9) marked (pl. 728 for 27 m	1			problem [12] 18:18,22	
P.C. 01 2-4,137 2-4,					
marked [ii 58 8.8 8.9 2.24 2.24 2.22 2.24 2.23 2.25 2.24 2.24 2.24 2.24 2.24 2.24 2.24 2.25 2.25 2.24 2.224 2.25					Renz-Fort [1] 3:15
124.16.27 131.4 Nemont [n] 23.9 never [n] 245 259.10 married [n] 7:26 10:27 Martell [n] 2017,18 213 morth [n] 2.59 18.22 24:24 morth [n] 2.59 18.23 24:24 24:24 morth [n] 2.59 18.23 24:24 24:24 morth [n] 2.59 18.23 24:24	marked [8] 5:8 8:8 9:2				replace [3] 17:7,10,15
Table Tabl		1			replaced [1] 17:5
					report[11] 3:16,17,19
married [3] 7/26 102/7, married [3] 7/26 102/8, married [3] 7/26			- -		5:25 11:11,1-2 12:6 20:11
MATHER [i] 2013 matters [ii] 516 319 matters [ii] 516 319 morth [iii] 2529 large [iii] 518 matters [iii] 516 319 morth [iii] 5			1-		1
matters [3] 516 33-9 may [5] 523 16:12,18 20:25 29:17 mean [6] 67 11:7 18:11 Monata [1] 13:19 means [1] 33:11 meant [1] 10:59 member [1] 7:11 Mental [1] 7:25 mention [1] 26:21 mentioned [4] 23:3 33:8 member [1] 12:11 Michael [1] 28:11 Michael [1] 28:12 Michael [1]		1	1-		· -
may [9] 5:23 16:12,18 20:23 29:17 Mortarial [1] 30:19 Motary [1] 30:19 Motary [1] 30:19 measuring [1] 30:11 meant [1] 10:9 measuring [2] 11:3,5 member [1] 7:11 memtion [1] 7:25 mention [1] 7:25 mention [1] 26:21 motice[1] 31:45 motice[1					Reporter [10] 3:9 4:5 5:6
Notarial [1] 33:19	' '	northwest [1] 16:5			
mean [10] 6.7 J1.7 18:11 moth [1] 13:11 moth [1] 14:5 33:5.21 moth [1] 14:5 33:5.21 moth [1] 14:5 33:41 moth [1] 17:25 member [1] 7:11 moth [1] 17:25 moth [1] 18:21 moth [1] 18:22 moth [1] 18:21 moth [1] 18:21 moth [1] 18:22 moth [1] 18:24 moth [1]		Notarial [1] 33:19	l ' '	PRODUCEU[I] 5:24	
Date			ļ - -		20:24
means [1] 33:11 meant [1] 101 mention [1] 101			-		represent [3] 22:9 23:25
meant (j) 10.9 measuring (2) 11:3,5 member (j) 21:23 32:15 33:8 notice (j) 3:14 5:11*14:22 member (j) 7:11 Mental (j) 7:25 mention (j) 26:21 mentione (k) 23:5 25:13 26:1 31:20 MESA (j) 1:11 Michael (j) 2:8 mid (j) 19:27 mid-90*s (j) 19:2,5 20:3 mid (j) 19:27 mid-90*s (j) 19:2,5 20:3 might (j) 25:7 Mike (j) 25:7 Mike (j) 25:7 Mike (j) 25:9,28 Monday (j) 1:23 momey (j) 17:25 mometr (j) 25:9,28 Monday (j) 12:3 25:13 momey (j) 17:25 most (j) 26:25 23:26 33:26 33:26 33:26 34:13,14 most (j) 16:28 mother (a) 8:24 9:10,26 25:14 MoULTON (j) 2:13 moved (a) 9:15;20:22 32:13 moved (a) 9:15;20:22 32:13 moved (a) 9:15;20:22 32:24 murky (j) 11:15 (j) 20:22 31:8 murky (j) 11:15 (j) 20:22 31:8 murky (j) 11:124 murky (j) 11:15 (j) 20:22 31:8 murky (j) 11:15 (j) 20:22 31:23 31:10 (j) 20:22 31:23 31:10 (j) 20:22 31:23 31					27:1
measuring [2] 11:3,5 member [1] 7:11 motice [3] 3:14 5:11 14:22 motice [3] 3:14 5:11 14:23 motice [3] 3:14 5:11 14:22 motice [3] 3:14 5:11 14:23 motice [3] 3:14 5:11 14:23 motice [3] 3:14 5:11 14:23 motice [3] 3:14 5:11 14:24 motice [4] 3:15 motice [3] 3:14 3:14 motice [4] 3:26 16:24 3:26 3:26 3:41 3:13 3:25 3:41 3:14 3:15 3:14 3:14 3:14 3:15 3:14 3:14 3:15 3:14 3:14 3:15 3:14 3:14 3:14 3:14 3:15 3:14 3:14 3:14 3:14 3:14 3:14 3:15 3:14 3:14 3:14 3:14 3:15 3:14 3:14 3:14 3:15 3:14 3:14 3:14 3:15 3:14 3:14 3:14 3:15 3:14 3:14 3:15 3:14 3:14 3:15 3:14 3:14 3:14 3:15 3:14 3:14 3:14 3:15 3:14 3:14 3:14 3:15					, <u>-</u>
member (1) 7:11			1		
Mental [n] 7:25 montion [n] 26:21 mentioned [st] 23:3 25:13 26:1 31:20 most [st] 19:26 now [st] 11:20 14:12,23 27:24 29:4 29:4					
mention (i) 26:21 mentioned (a) 23:3 25:13 26:1 31:20 MESA (i) 1:11 Michael (i) 1:28 mid (i) 19:27 mid (i) 19:27 mid (i) 19:27 mid (i) 19:27 mine (ii) 19:18 25:23 mine (ii) 19:128 25:23 mome (ii) 25:7 Mike (ii) 27:1 mine (iii) 19:28 mome (ii) 25:9,28 Monday (ii) 1:23 mome (ii) 25:19,28 Monday (ii) 1:23 mome (ii) 25:19,28 Monday (ii) 1:23 mome (ii) 25:19,28 Montana (iiii) 17:15 21:14,18,23 4:4,6,7,78 33:2,6 34:13,14 most (ii) 26:25 Mostly (ii) 16:28 most (ii) 26:25 Motor (ii) 19:25 monte (iii) 29:25	- · ·		i -		
mentioned [4] 23:3 27:24 29:4 29:					
Deriod (a) 10:8 20:3 Put [2] 17:25 19:16 Put [2] 17:12 19:16			perceived [1] 18:21		
McBal		27,24 25.1			1 · · · · · · · · · · · · · · · · · · ·
Michael [1] 28		-0-		put [2] 17.23 17.10	
mid-90's [3] 19:2,5 20:3 might [1] 25:7 Mike [1] 27:1 mine [3] 9:19 12:8 25:23 mom [2] 25:19,28 Monday [1] 17:25 Monday [1] 17:25 Montana [14] 1:3 2:6,10 2:14,18,23 4:4,6,7 7:8 33:2.6 34:13,14 most [1] 26:25 Mostly [1] 16:28 mother [4] 8:24 9:10,26 25:14 Motor [2] 1:24 4:3 MOULTON [1] 2:13 moved [4] 9:15,20,22 25:22 MT [1] 1:24 murky [2] 11:15 14:28 Murphy [6] 1:8 2:7,12 10:9 27:2 31:8 must [1] 12:1 must [1] 12:1 must [1] 12:1 moved [1] 1:12 more [1] 29:25 onto [1] 29:29 onto [1]			1 * * *	-0-	
might (i) 25:7 Mike (ii) 27:1 mine (ii) 9:19 12:8 25:23 mom (ii) 17:25 mome (iii) 17:15:16 mome (iii) 17:25 mome (iii) 17:15:16 mome (iii) 17:25 mome (iii) 17:25 mome (iii) 17:15:16 personally (iii) 31:8 petroleum (ii) 11:11,17 23:26 petroleum (ii) 17:4 piles (iii) 17:			[A		
Mike [1] 25:7 Mike [1] 27:1 occupy [1] 22:10 odor [2] 21:22 30:24 odors [1] 30:25 off [4] 5:18.27 15:27 23:6 Official [3] 4:5 33:4,10 Official [3] 4:5 33:4,10 Official [2] 17:7,15 Official 20:24 6,8.8,9.12 16:16 20:26 23:26,27,27 23:28 24:32.3 25:22 Mostly [1] 16:28 mother [4] 8:24 9:10,26 25:12 Motor [2] 1:24 4:3 MOULTON [1] 2:13 moved [4] 9:15,20,22 25:22 MT [1] 1:24 murky [2] 11:15 14:28 Murphy [6] 1:8 2:7,12 10:9 27:2 31:8 must [1] 12:1 operated [1] 23:26 oral [1] 4:1 original [1] 33:13 originally [3] 8:21 9:15 ossible [2] 24:9 29:16 occupy [1] 22:10 odor [2] 12:19 22:9 occupy [1] 22:10 odors [1] 31:8 persons' [1] 6:18 persons'	1		-	_ :	
Mike [1] 27:1 mine [3] 9:19 12:8 25:23 mome [2] 25:19,28 momey [1] 17:25 money [1] 17:25 montana [14] 1:3 2:6,10 2:14,18,23 4:4,6,7 7:8 33:2,6 34:13,14 most [1] 26:25 most [1] 26:25 mother [4] 8:24 9:10,26 25:14 Motor [2] 1:24 4:3 mother [4] 8:24 9:10,26 25:14 Motor [2] 1:24 4:3 moved [4] 9:15,20,22 2 25:23 MOULTON [1] 2:13 moved [4] 9:15,20,22 2 25:23 MT [1] 1:24 murky [2] 11:15 14:28 Murphy [6] 1:8 2:7,12 10:9 27:2 31:8 must [1] 12:21 must [1] 12:					
mom [3] 9:19 12:8 25:12 25:13 mom [2] 25:19,28 monday [1] 17:25 monday [1] 17:25 monday [1] 17:25 montana [14] 1:3 2:6,10 clip 2:4,6,6,8,9,12 most [1] 2:25 clip 2:28 2:3 2:2 2:2 2:3 3:2.6 34:13,14 most [1] 2:28 mother [4] 8:24 9:10,26 25:14 mother [4] 8:24 9:10,26 25:14 mother [4] 8:24 9:10,26 25:14 mother [4] 9:15,20,22 25:21 moved [4] 9:15,20,22 25:22 murky [2] 11:15 14:28 murky [2] 12:15 murky [2] 12:15 murky [2] 12:15 murk					
Monday [1] 1:23 money [1] 17:25 Montana [14] 1:3 2:6,10 21:4,18,23 4:4,6,7 7:8 33:2,6 34:13,14 most [1] 26:25 Mostly [1] 16:28 mother [4] 8:24 9:10,26 25:14 Motor [2] 1:24 4:3 MOULTON [1] 2:13 moved [4] 9:15,20,22 25:22 MT [1] 1:24 murky [2] 11:15 14:28 Murphy [6] 1:8 2:7,12 10:9 27:2 31:8 must [1] 12:21 mu					
Montang [1] 17:25 Montana [14] 1:3 2:6,10 often [2] 17:7,15 oil [26] 1:8 2:11 15:6,22 15:23 16:2,4,6,6,8,9,12 16:16 20:26 23:26,27,27 Mostly [1] 16:28 mother [4] 8:24 9:10,26 25:14 moved [4] 9:15,20,22 25:22 MT [1] 1:24 moved [4] 9:15,20,22 25:22 MT [1] 1:24 murky [2] 11:15 14:28 Murphy [6] 1:8 2:7,12 must [1] 12:21 operated [1] 23:26 onal [1] 4:1 original [1] 33:13 originally [3] 8:21 9:15 often [2] 13:13 originally [3] 8:21 9:15 often [2] 13:14 often [2] 13:14 often [2] 17:7,15 oil [26] 1:8 2:11 15:6,22 15:23 16:2,4,66,8,9,12 16:16 20:26 23:26,27,27 16:16 20:26 23:26,27,27 16:16 20:26 23:26,27,27 23:28 24:3,23 25:2,6 26:4 26:22 28:1 31:1 old [3] 27:5,7,9 on-the [1] 29:25 one [10] 29:25 one [10] 29:25 one [10] 5:23 11:17 22:11 24:18,26 25:14 29:3 30:4 31:21 32:5 onto [2] 4:9 25:22 operate [2] 23:12 31:10 operated [1] 23:26 oral [1] 4:1 original [1] 33:13 originally [3] 8:21 9:15 often [2] 17:7,15 oil [26] 1:8 2:11 15:6,22 HS [1] 17:4 read [2] 18:25,26 TROSEVELT [1] 33:3 ROSCOC [1] 16:1 Ross [13] 2:16 3:4 4:16 4:17 5:22 9:2 10:10 11:8 11:9,14,15 14:11 16:13 18:2,10 20:23 24:19,13 25:14,15 28:14 29:18 30:11 REASON [1] 35:4 receive [2] 15:28 27:28 receive [2] 15:23 24:10 receive [2] 15:28 27:28 receive [2] 15:23 24:10 receive [2] 15:23 24:10 receive [2] 15:23 24:10 receive [2] 15:28 27:24 receive [2] 15:28 27:28 receive [2] 15:28 27:24 rece	1			22:7 26:27 27:3 32:16	
Montana [14] 1:3 2:6,10	Monday [1] 1:23			quit [2] 18:25,26	1
Content Cont	_				
15:23 16:2,4,6,6,8,9,12 16:16 20:26 23:26,27,27 23:28 24:3,23 25:2,6 26:4 26:22 28:1 31:1 16:16 20:26 23:26,27,57,9 25:14 Motor [2] 1:24 4:3 MOULTON [1] 2:13 moved [4] 9:15,20,22 25:22 MT [1] 1:24 murky [2] 11:15 14:28 murky [2] 11:15 14:28 murky [2] 11:15 14:28 must [1] 12:21 mossible [2] 24:9 29:16 must [1] 23:26 must [1] 12:21 mossible [2] 24:9 29:16 must [1] 33:13 mossible [2] 24:9 29:16 must [1] 33:11 most [1] 22:1 most [1] 12:1 most [1] 23:26 must [1] 12:21 most [1] 12				-R-	
Teach Teac				read (2) 34·2 35·4	
Mostly [1] 16:28 mother [4] 8:24 9:10,26 25:14 Motor [2] 1:24 4:3 MOULTON [1] 2:13 moved [4] 9:15,20,22 25:22 MT [1] 1:24 murky [2] 11:15 14:28 Murphy [6] 1:8 2:7,12 10:9 27:2 31:8 must [1] 12:21 mostly [1] 16:28 mother [4] 8:24 9:10,26 25:14 Motor [2] 1:24 4:3 MOULTON [1] 2:13 moved [4] 9:15,20,22 25:22 MT [1] 1:24 murky [2] 11:15 14:28 Murphy [6] 1:8 2:7,12 10:9 27:2 31:8 must [1] 12:21 mostly [1] 16:28 placed [1] 4:8 Plaintiff's [3] 5:8 8:8 9:3 Plaintiffs [4] 1:6,13,14 2:2 Plaza [1] 2:13 PLLP [1] 2:9 plugged [1] 32:8 point [5] 1:24 4:3 16:5 21:17 23:11 Poplar [5] 7:8 16:6,9 22:3 25:22 position [1] 22:1 possible [2] 24:9 29:16 Placed [1] 4:8 Plaintiff's [3] 5:8 8:8 9:3 Plaintiff's [4] 1:6,13,14 2:2 Plaza [1] 2:13 receive [2] 15:28 27:28 received [2] 15:28 27:28 received [2] 15:28 27:28 received [2] 15:28 27:28 received [2] 15:23 24:10 receiving [3] 13:8 27:24 27:27 recent [1] 31:22 recommend [2] 14:7.8 record [4] 4:9,27 5:18 samples [6] 6:2,5,20 13:4 24:19 30:7 salt [3] 19:14,15,16 salty [1] 30:18 samples [6] 6:2,5,20 13:4 25:12 position [1] 22:1 possible [2] 24:9 29:16		16:16 20:26 23:26,27,27			1 12:4 16 13:1 7 22:7
mother [4] 8:24 9:10,26 25:14 Motor [2] 1:24 4:3 MOULTON [1] 2:13 moved [4] 9:15,20,22 25:22 MT [1] 1:24 murky [2] 11:15 14:28 Murphy [6] 1:8 2:7,12 10:9 27:2 31:8 must [1] 12:21 motitif [4] 8:24 9:10,26 25:14 Moutton [1] 29:25 Moutton [1] 29:4 Moutton [1] 29:25 Moutton [1] 29:3 Moutton [1] 29:4 Moutton [1] 29:4 Moutton [1] 29:4 Moutton [1] 29:5 Moutton [1] 29:4 Moutton [1] 29:5 Moutton [1] 29:5 Moutton [1] 29:5 Moutton [1] 29:6 Moutton [1] 29:6 Moutton [1] 29:7 •					
25:14 Motor [2] 1:24 4:3 MOULTON [1] 2:13 moved [4] 9:15,20,22 25:22 MT [1] 1:24 murky [2] 11:15 14:28 Murphy [6] 1:8 2:7,12 10:9 27:2 31:8 must [1] 12:21 motor [1] 29:25 one [10] 5:23 11:17 22:11 24:18,26 25:14 29:3 30:4 31:21 32:5 onto [2] 4:9 25:22 operate [2] 23:12 31:10 operated [1] 23:26 oral [1] 4:1 original [1] 33:13 originally [3] 8:21 9:15			1		
Motor [2] 1:24 4:3 MOULTON [1] 2:13 moved [4] 9:15,20,22 25:22 MT [1] 1:24 murky [2] 11:15 14:28 Murphy [6] 1:8 2:7,12 10:9 27:2 31:8 must [1] 12:21 must [1] 12:21 Motor [2] 1:24 4:3 MOULTON [1] 2:13 moved [4] 9:15,20,22 25:22 Plaza [1] 2:13 PLLP [1] 2:9 plugged [1] 32:8 point [5] 1:24 4:3 16:5 21:17 23:11 Poplar [5] 7:8 16:6,9 22:3 25:22 position [1] 22:1 possible [2] 24:9 29:16 Plaintiffs [4] 1:6,13,14 2:2 Plaza [1] 2:13 REASON [1] 35:4 receive [2] 15:28 27:28 received [2] 15:23 24:10 receiving [3] 13:8 27:24 27:27 recent [1] 31:22 recommend [2] 14:7.8 record [4] 4:9,27 5:18 34:4 recorder [1] 33:11 Sampled [2] 10:17 15:18 sampling [2] 6:10 29:26 Samson [3] 2:19 22:9 23:21					
MOULTON [1] 2:13 moved [4] 9:15,20,22 25:22 MT [1] 1:24 murky [2] 11:15 14:28 Murphy [6] 1:8 2:7,12 10:9 27:2 31:8 must [1] 12:21 must [1] 2:13 point [2] 28:9 one [10] 5:23 11:17 22:11 24:18,26 25:14 29:3 30:4 31:21 32:5 onto [2] 4:9 25:22 operate [2] 23:12 31:10 operated [1] 23:26 oral [1] 4:1 original [1] 33:13 originally [3] 8:21 9:15 must [2] 28:9 Plaza [1] 2:13 PLLP [1] 2:9 plugged [1] 32:8 point [5] 1:24 4:3 16:5 21:17 23:11 Poplar [5] 7:8 16:6,9 22:3 25:2 position [1] 22:1 possible [2] 24:9 29:16 REASON [1] 35:4 receive [2] 15:28 27:28 received [2] 15:23 24:10 receiving [3] 13:8 27:24 27:27 recent [1] 31:22 recommend [2] 14:7.8 salt [3] 19:14,15,16 salty [1] 30:18 sampled [2] 10:17 15:18		1 .	Plaintiffs [4] 1:6,13,14		
moved [4] 9:15,20,22 25:22 MT [1] 1:24 murky [2] 11:15 14:28 Murphy [6] 1:8 2:7,12 10:9 27:2 31:8 must [1] 12:21 must [1] 12:21 must [1] 12:21 must [1] 12:21 must [2] 13:25 plaza [1] 2:13 PLLP [1] 2:9 plugged [1] 32:8 point [5] 1:24 4:3 16:5 21:17 23:11 Poplar [5] 7:8 16:6,9 22:3 25:22 position [1] 22:1 possible [2] 24:9 29:16 plaza [1] 2:13 received [2] 15:23 24:10 receiving [3] 13:8 27:24 salt [3] 19:14,15,16 receiving [3] 13:8 27:24 received [2] 15:23 24:10 received [2] 15:23 24:10 receiving [3] 13:8 27:24 received [2] 15:23 24:10 receiving [3] 13:8 27:24 received [2] 15:23 24:10 received [2] 15:23 24:10 receiving [3] 13:8 27:24 receiving [3] 13:8 27:24 received [2] 15:23 24:10 received [2] 15:23 24:10 receiving [3] 13:8 27:24 receiving [3] 13:8 27:24 received [2] 15:23 24:10 receiving [3] 13:8 27:24 receiving [3] 13:8 27:24 receiving [3] 13:8 27:24 received [2] 15:23 24:10 receiving [3] 13:8 27:24 received [2] 15:23 24:10 receiving [3] 13:8 27:24			2:2		-S
25:22 MT [1] 1:24 murky [2] 11:15 14:28 Murphy [6] 1:8 2:7,12 10:9 27:2 31:8 must [1] 12:21 must [1] 12:21 must [1] 12:21 must [1] 32:13 original [1] 33:13 originally [3] 8:21 9:15 31:21 32:5 onto [2] 4:9 25:22 operate [2] 23:12 31:10 operate [2] 23:12 31:10 operate [2] 23:12 31:10 operate [2] 23:26 original [1] 33:13 originally [3] 8:21 9:15 pLLP [1] 2:9 plugged [1] 32:8 point [5] 1:24 4:3 16:5 21:17 23:11 Poplar [5] 7:8 16:6,9 22:3 25:2 position [1] 22:1 possible [2] 24:9 29:16 pLLP [1] 2:9 plugged [1] 32:8 27:27 recent [1] 31:22 recommend [2] 14:7.8 record [4] 4:9,27 5:18 34:4 recorder [1] 33:11 Sampled [2] 10:17 15:18 samples [6] 6:2,5,20 13:4 27:27 recent [1] 31:22 recommend [2] 14:7.8 record [4] 4:9,27 5:18 34:4 recorder [1] 33:11					
MT [1] 1:24 murky [2] 11:15 14:28 Murphy [6] 1:8 2:7,12 10:9 27:2 31:8 must [1] 12:21 onto [2] 4:9 25:22 operate [2] 23:12 31:10 operated [1] 23:26 original [1] 33:13 originally [3] 8:21 9:15 onto [2] 4:9 25:22 point [5] 1:24 4:3 16:5 21:17 23:11 Poplar [5] 7:8 16:6,9 22:3 25:2 position [1] 22:1 possible [2] 24:9 29:16 record [4] 4:9,27 5:18 34:4 recorder [1] 33:11 sampled [2] 10:17 15:18					
murky [2] 11:15 14:28 Murphy [6] 1:8 2:7,12 10:9 27:2 31:8 must [1] 12:21 original [1] 33:13 originally [3] 8:21 9:15 operate [2] 23:12 31:10 point [5] 1:24 4:3 16:5 21:17 23:11 Point [5] 1:24 4:3 16:5 21:17 23:11 Poplar [5] 7:8 16:6,9 22:3 25:2 position [1] 22:1 possible [2] 24:9 29:16 recent [1] 31:22 recommend [2] 14:7.8 34:4 recorder [1] 33:11					
Murphy [6] 1:8 2:7,12 operated [1] 23:26 oral [1] 4:1 Poplar [5] 7:8 16:6,9 22:3 recommend [2] 14:7.8 record [4] 4:9,27 5:18 original [1] 33:13 originally [3] 8:21 9:15 possible [2] 24:9 29:16 recorder [1] 33:11 24:19 30:7 sampling [2] 6:10 29:26 Samson [3] 2:19 22:9 23:21 recorder [1] 33:11 23:21 recorder [1] 33:11 24:19 30:7 sampling [2] 6:10 29:26 Samson [3] 2:19 22:9 23:21 recorder [1] 33:11 23:21 recorder [1] 33:11 24:19 30:7 sampling [2] 6:10 29:26 recorder [1] 33:11 23:21 recommend [2] 14:7.8 recorder [1] 33:11 24:19 30:7 sampling [2] 6:10 29:26 recorder [1] 33:11 23:21 recorder [1] 33:11 75:21 re		E .			
10:9 27:2 31:8	Murphy [6] 1:8 2:7,12				
must [1] 12:21 original [1] 33:13 position [1] 22:1 recorder [1] 33:11 Samson [3] 2:19 22:9 possible [2] 24:9 29:16					sampling [2] 6:10 29:26
originally [3] 8:21 9:15 possible [2] 24:9 29:16 recorder [1] 33:11 23:21	must [1] 12:21		1	34:4	
People (et al. 2010)				recorder [1] 33:11	
	Long D. Dage Off	inial Cont Double	! 	<u> </u>	T ₂ , J ₂ , , N ₃ , , 2

			Cause #C	CV 98-108-BLG-JDS
	still[2] 8:25 23:14	19:27 23:2,13,18	19:19,26.27 20:3,5 21:7	
says [2] 12:6 13:3	stop [1] 5:18	trccs [4] 17:26,28 18:2.7	21:12,24 22:25 23:2,9,12 23:17 24:13,19 25:7 26:10	
school [3] 7:16 9:16	stopped [1] 29:14	trial [2] 5:4,4	27:25.28 28:5 29:9,15,21	
10:27 Scal [1] 33:19	Street [3] 2:9,18,22	Tribal [3] 5:26 6:8,9	30:7,15,16 31:8,19,26	
second [2] 5:18,19	stronger [2] 30:21,22	Tribe [1] 7:11	32:1,9,13	
· · · · ·	study [1] 7:19	Tribes [2] 28:17 32:1	water's [2] 21:16 25:16	
see [1] 24:25	Subscribed [1] 34:10	tricd [3] 18:3,4,12	watering [1] 10:22	
send [1] 28:22	Suite [1] 2:13	Trivian [1] 9:27	Webster [5] 2:8 3:7	
septic (5) 19:21,22,25 28:7 32:6	sulphur _[2] 30:27,28	truckers [1] 31:1	26:28 27:1 32:3	
Service [3] 3:17 4:7	sulphury [1] 30:25	truc [2] 33:13 34:4	week[1] 19:18	
31:18	summer [i] 18:11	truth [2] 33:8,8	well's [1] 15:18	
Services [6] 5:28 7:24	surprise [1] 29:15	truthfully [1] 4:24	wells [10] 7:3 15:26 16:12 16:12,17 23:26 24:1,23	
12:19 13:23 21:9 22:2	suspect [1] 25:6	trying [2] 17:25 19:28	25:4 29:10	
set[1] 33:18	swom [4] 4:14 33:8 34:10		wcst [1] 19:24	
seven [1] 18:28	35:3	Twenty [1] 27:20	WESTDALE [1] 1:16	
Shanstrom [1] 1:10	system [10] 19:8,9,9,12 19:15,16 23:2,13,18 28:7	twice [1] 17:17	White [1] 16:1	
Sheraton [1] 2:13	19.15,10 25.2,15,16 26.7	two [6] 6:16 8:22 9:8 15:4	WHITNEY [1] 2:21	
Sherman [2] 1:24 4:3	-T-	19:18 28:12	willed [1] 8:22	
short [1] 28:2		type [3] 16:25 17:24	wishes [1] 35:3	
shortly [1] 12:24	taking [3] 3:14 14:17,23	17.14	witness [2] 33:16,18	
show [10] 5:8 8:8 9:2 12:4	tank [4] 15:5 19:21,22,25	-U-	Wolf [4] 1:24 4:3 16:5	
12:16 13:1,7,19,28 21:4	tapes [1] 33:13		23:11	•
showed [2] 24:18 30:4	tastc [5] 18:24 21:22	uncle [2] 8:25 9:10	worked [3] 13:23 31:13	
showering (1) 29:4	30:15,16,17	under[i] 27:13	31:14	
showers [2] 14:17,23	terms [1] 22:18	understand [7] 4:23,27	worsc [2] 26:17,19	
shown [2] 8:12,16	test [1] 11:23	5:3 14:10 15:2 20:28 27:14	write[i] 8:11	
side [2] 19:24,25	tested [1] 11:23	understand's [1] 21:11	written (1) 5:25	
smell [11] 10:15 11:14,15	testified [1] 4:15	UNITED [1] 1:2	wrong [1] 18:23	
11:18 14:24,27 18:24	testify [1] 33:8	up [6] 15:3,5 16:4 24:18	wrote [1] 6:8	
26:18 30:18,20 31:2	testimony [5] 15:8 18:14 33:12 34:3 35:3	30:4 31:11		
smells [5] 15:1 30:21 31:2	testing [2] 11:21,25	USA [2] 1:8,12	Y-	
soft [1] 19:19	tests [1] 11:21	uscd [9] 5:4,28 7:4 10:5	yard [2] 17:25 18:1,3	
soften [1] 19:14	Texas (1) 24:3	11:12 15:15 19:15 24:26	year [14] 6:15,16 7:9 10:3	
somconc [6] 13:20 21:13	Thamke [2] 3:20 29:27	29:22	11:27 14:2 18:13,15,26	
25:13 28:15,16,22	Thank [2] 8:15 22:7	USGS [17] 3:19,20 11:11	20:9,9 27:5,7,9	
Sometime [1] 25:24	Thanks [1] 26:27	11:25 13:4,12 18:20 20:11 20:24 21:1,5,11 24:10,16	years [12] 8:24 11:11,28	
somewhere [1] 29:11	therein [1] 33:12	26:24 29:25 30:13	17:8 18:28 23:7 25:21 27:17,20 28:12,12 29:19	
sons [1] 8:22	thinking [3] 20:26 30:6	using [3] 14:8 18:26	yet [1] 5:23	
sorry [1] 31:16	30:15	27:27	Youpcc [2] 1:5 20:15	
sort [3] 8:19 10:15 16:27	Third [2] 1:13,18		yourself [2] 28:3,5	
sounds [1] 26:24	Thirty-six [1] 12:11	V-	Jourson [2] 20,3,3	
source [2] 9:22 15:11	thought [3] 25:10,11,15	Video [1] 4:7		
sources [1] 15:12	three [5] 8:5 9:13 27:3	videotape [1] 4:8		
southeast [1] 19:25	28:11.12	videotaped [1] 4:9		
specific [3] 17:1 21:17	through [3] 9:9 16:1	view [1] 11:19		
21:23	30:12	visit[3] 29:27 30:1 31:17		
specifically [2] 6:19	Tina[1] 27:10	VS [3] 1:7,15,19		
14:9	today [2] 5:14 30:20			
spoken[1] 23:20	toilets [1] 29:5	-W-		
spurts [1] 26:15	tonight [1] 6:12	Walker [1] 2:16		
stains [1] 31:4	too [2] 6:1 17:18	washing [1] 29:5		
Started [1] 26:19	TOOLE (1) 2:9	washing [1] 29:3 water [77] 6:2,4,6,17,18		
starting [1] 20:26	top [2] 15:5.7	6:23 9:23 10:7,13,21 11:6		
State [4] 4:6 33:2,6 34:13	town [2] 15:16 29:22	11:19,21,21 12:18 13:3,3		
states [2] 1:2 35:3	transcript [1] 34:3	13:13,15,18 14:6,12,13		
Sterup [s] 2:20 3:5 22:8	transcription [1] 33:13	14:22 15:6,6.7,9,12,13,14 15:14,16 17:5,15,28,28		
22:9 23:23	transferred (1) 27:15	18:4,5,14,18,22 19:5,7,14		
stick [1] 11:5	treatment [7] 19:7,9,20			
Joann D. Heser, Offi	Carl Carl Day of	1541 T 1: 1 D: 4 :		Index Page 4